

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BEARBOX LLC and AUSTIN
STORMS,

Plaintiffs,

v.

LANCIUM LLC,
MICHAEL T. MCNAMARA, and
RAYMOND E. CLINE, JR.,

Defendants.

C.A. No. 21-534-GBW-CJB

NOTICE OF APPEAL BY ALL PLAINTIFFS

BearBox LLC and Austin Storms, the Plaintiffs and Counterclaim Defendants in the above-captioned case, hereby give notice that they appeal to the United States Court of Appeals for the Federal Circuit from the Final Judgment (D.I. 267) entered in this action on April 5, 2023, which denied correction of inventorship of U.S. Patent No. 10,608,433 (the “’433 patent”), dismissed Plaintiffs’ conversion count, and entered judgment granting and denying other relief as set forth therein, and from any and all orders, rulings, findings, or conclusions underlying that Final Judgment and adverse to Plaintiffs in whole or in part.

Included herewith is payment of \$505.00 for the filing fee (\$5.00) and the docketing fee (\$500.00) as required by 28 U.S.C. § 1917, Federal Circuit Rule 52(a)(2), and Fed. R. App. P. 3(e), and the United States District Court for the District of Delaware fee schedule (effective September 1, 2020).

ASHBY & GEDDES

/s/ Andrew C. Mayo

Andrew C. Mayo (#5207)
500 Delaware Avenue, 8th Floor
P.O. Box 1150
Wilmington, DE 19899
(302) 654-1888
amayo@ashbygeddes.com

Of Counsel:

Benjamin T. Horton
John R. Labbé
Raymond R. Ricordati, III
Chelsea M. Murray
John J. Lucas
MARSHALL, GERSTEIN & BORUN LLP
233 South Wacker Drive
6300 Willis Tower
Chicago, IL 60606-6357
(312) 474-6300

Attorneys for Plaintiffs
BearBox LLC and Austin Storms

Dated: May 4, 2023

CLOSED,APPEAL,CASREF,DISCOVERY-CJB,MOTREF,PATENT
U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:21-cv-00534-GBW-CJB
Internal Use Only

BearBox LLC et al v. Lancium LLC et al
Assigned to: Judge Gregory B. Williams
Referred to: Judge Christopher J. Burke
Cause: 35:271 Patent Infringement

Date Filed: 04/14/2021
Date Terminated: 04/05/2023
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

BearBox LLC

represented by **Andrew Colin Mayo**
Ashby & Geddes
500 Delaware Avenue, 8th Floor
P.O. Box 1150
Wilmington, DE 19801
302-654-1888
Email: amayo@ashbygeddes.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Benjamin T. Horton
Email: bhorton@marshallip.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Chelsea M. Murray
Email: cmurray@marshallip.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

John R. Labbe
Email: jlabbe@marshallip.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

John J. Lucas
Email: jlucas@marshallip.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Raymond R. Ricordati , III
Email: rricordati@marshallip.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Austin Storms

represented by **Andrew Colin Mayo**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Benjamin T. Horton
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Chelsea M. Murray
(See above for address)
PRO HAC VICE



CERTIFIED AS A TRUE COPY: 5/4/2023
JOHN A. CERINO, CLERK

BY: s/ M. Banenas
DEPUTY CLERK

ATTORNEY TO BE NOTICED

John R. Labbe

(See above for address)

PRO HAC VICE

ATTORNEY TO BE NOTICED

Raymond R. Ricordati , III

(See above for address)

PRO HAC VICE

ATTORNEY TO BE NOTICED

V.

Defendant

Lancium LLC

represented by **Adam Kaufmann**

Email: adam.kaufmann@btlaw.com

PRO HAC VICE

ATTORNEY TO BE NOTICED

Benjamin Pendroff

Email: benjamin.pendroff@btlaw.com

PRO HAC VICE

ATTORNEY TO BE NOTICED

Dana A. Sarros

Email: dana.sarros@btlaw.com

PRO HAC VICE

ATTORNEY TO BE NOTICED

Darrick J. Hooker

Email: dhooker@btlaw.com

PRO HAC VICE

ATTORNEY TO BE NOTICED

David M. Lisch

Email: david.lisch@btlaw.com

PRO HAC VICE

ATTORNEY TO BE NOTICED

Mark C. Nelson

Email: mark.nelson@btlaw.com

PRO HAC VICE

ATTORNEY TO BE NOTICED

William J. Burton

Barnes & Thornburg LLP

222 Delaware Avenue

Suite 1200

Wilmington, DE 19801-1054

302-300-3451

Email: william.burton@btlaw.com

ATTORNEY TO BE NOTICED

Chad S.C. Stover

Barnes & Thornburg LLP

222 Delaware Avenue Suite 1200

Wilmington, DE 19801

302-300-3474

Email: chad.stover@btlaw.com

ATTORNEY TO BE NOTICED

Defendant

Michael T. McNamara

represented by **Adam Kaufmann**
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Benjamin Pendroff
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Dana A. Sarros
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Darrick J. Hooker
(See above for address)
PRO HAC VICE
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David M. Lisch
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Mark C. Nelson
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

William J. Burton
(See above for address)
ATTORNEY TO BE NOTICED

Chad S.C. Stover
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Raymond E. Cline , Jr.

represented by **Adam Kaufmann**
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Benjamin Pendroff
(See above for address)
PRO HAC VICE
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William J. Burton
(See above for address)
ATTORNEY TO BE NOTICED

Chad S.C. Stover
(See above for address)
ATTORNEY TO BE NOTICED

Counter Claimant

Michael T. McNamara

represented by **Benjamin Pendroff**
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

David M. Lisch
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Chad S.C. Stover
(See above for address)
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Counter Claimant

Raymond E. Cline , Jr.

represented by **Benjamin Pendroff**
(See above for address)
PRO HAC VICE
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David M. Lisch
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Chad S.C. Stover
(See above for address)
ATTORNEY TO BE NOTICED

Counter Claimant

Lancium LLC

represented by **Benjamin Pendroff**
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

David M. Lisch
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Chad S.C. Stover
(See above for address)
ATTORNEY TO BE NOTICED

V.

Counter Defendant

BearBox LLC

represented by

Andrew Colin Mayo
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Benjamin T. Horton
(See above for address)
ATTORNEY TO BE NOTICED

Chelsea M. Murray
(See above for address)
ATTORNEY TO BE NOTICED

John R. Labbe
(See above for address)
ATTORNEY TO BE NOTICED

John J. Lucas
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Raymond R. Ricordati , III
(See above for address)
ATTORNEY TO BE NOTICED

Counter Defendant

Austin Storms

represented by **Andrew Colin Mayo**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Benjamin T. Horton
(See above for address)
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V.

Counter Defendant

BearBox LLC

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(See above for address)
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(See above for address)
ATTORNEY TO BE NOTICED

Raymond R. Ricordati , III
(See above for address)
ATTORNEY TO BE NOTICED

Counter Claimant

Raymond E. Cline , Jr.

represented by **Adam Kaufmann**
(See above for address)
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(See above for address)
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(See above for address)
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Lancium LLC

represented by **Adam Kaufmann**
(See above for address)
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(See above for address)
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Chad S.C. Stover
(See above for address)
ATTORNEY TO BE NOTICED

V.

Counter Defendant

BearBox LLC

represented by **Andrew Colin Mayo**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Benjamin T. Horton
(See above for address)
ATTORNEY TO BE NOTICED

Chelsea M. Murray
(See above for address)
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(See above for address)
ATTORNEY TO BE NOTICED

John J. Lucas

(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Raymond R. Ricordati , III
 (See above for address)
ATTORNEY TO BE NOTICED

Counter Defendant

Austin Storms

represented by **Andrew Colin Mayo**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Benjamin T. Horton
 (See above for address)
ATTORNEY TO BE NOTICED

Chelsea M. Murray
 (See above for address)
ATTORNEY TO BE NOTICED

John R. Labbe
 (See above for address)
ATTORNEY TO BE NOTICED

Raymond R. Ricordati , III
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/14/2021	<u>1</u>	COMPLAINT filed with Jury Demand against Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara – Magistrate Consent Notice to Pltf. (Filing fee \$ 402, receipt number ADEDC-3592779.) – filed by BearBox LLC, Austin Storms. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Civil Cover Sheet)(sam) (Entered: 04/14/2021)
04/14/2021	<u>2</u>	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction. (sam) (Entered: 04/14/2021)
04/14/2021	<u>3</u>	Report to the Commissioner of Patents and Trademarks for Patent/Trademark Number 10,608,433. (sam) (Entered: 04/14/2021)
04/14/2021	<u>4</u>	Summonses Issued (please complete the top portion of the form and print out for use/service). (sam) (Entered: 04/14/2021)
04/14/2021	<u>5</u>	PRAECIPE filed by Andrew Colin Mayo on behalf of BearBox LLC, Austin Storms requesting Clerk to issue <i>certified papers for service</i> (Mayo, Andrew) (Entered: 04/14/2021)
04/14/2021	<u>6</u>	Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by BearBox LLC. (Mayo, Andrew) (Entered: 04/14/2021)
04/14/2021	<u>7</u>	SUMMONS Returned Executed by BearBox LLC, Austin Storms. Lancium LLC served on 4/14/2021, answer due 5/5/2021. (Mayo, Andrew) (Entered: 04/14/2021)
04/14/2021	<u>8</u>	SUMMONS Returned Executed by BearBox LLC, Austin Storms. Michael T. McNamara served on 4/14/2021, answer due 5/5/2021. (Mayo, Andrew) (Entered: 04/14/2021)
04/14/2021	<u>9</u>	SUMMONS Returned Executed by BearBox LLC, Austin Storms. Raymond E. Cline, Jr served on 4/14/2021, answer due 5/5/2021. (Mayo, Andrew) (Entered: 04/14/2021)
04/15/2021	<u>10</u>	Postal Receipt(s) for the mailing of process to Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (kmd) (Entered: 04/15/2021)

04/21/2021		Case Assigned to Judge Maryellen Noreika. Please include the initials of the Judge (MN) after the case number on all documents filed. (rjb) (Entered: 04/21/2021)
04/23/2021	<u>11</u>	MOTION for Pro Hac Vice Appearance of Attorney Benjamin T. Horton, John R. Labbe, Raymond R. Ricordati, III, and Chelsea M. Murray – filed by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 04/23/2021)
04/23/2021		SO ORDERED re <u>11</u> MOTION for Pro Hac Vice Appearance of Attorney Benjamin T. Horton, John R. Labbe, Raymond R. Ricordati, III, and Chelsea M. Murray filed by BearBox LLC, Austin Storms. ORDERED by Judge Maryellen Noreika on 4/23/2021. (dlw) (Entered: 04/23/2021)
04/27/2021	<u>12</u>	Return of Service Executed re: D.I. <u>10</u> Postal Receipts. (kmd) (Entered: 04/27/2021)
04/28/2021		Pro Hac Vice Attorneys Benjamin T. Horton, Raymond R. Ricordati, III, Chelsea M. Murray for BearBox LLC and Austin Storms added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (kmd) (Entered: 04/28/2021)
04/29/2021		Pro Hac Vice Attorney John R. Labbe for BearBox LLC and Austin Storms added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mal) (Entered: 04/29/2021)
05/03/2021	<u>13</u>	[SEALED] ANSWER to <u>1</u> Complaint, with Jury Demand , COUNTERCLAIM against BearBox LLC, Austin Storms by Michael T. McNamara, Raymond E. Cline, Jr, Lancium LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Certificate of Service)(Stover, Chad) (Entered: 05/03/2021)
05/03/2021	<u>14</u>	MOTION to Seal Document: <u>13</u> Answer to Complaint,, Counterclaim, – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Stover, Chad) (Entered: 05/03/2021)
05/03/2021	<u>15</u>	Disclosure Statement pursuant to Rule 7.1: identifying Corporate Parent Lancium Technologies Corporation, Other Affiliate SBI Crypto Investment Company Ltd. for Lancium LLC filed by Lancium LLC. (Stover, Chad) (Entered: 05/03/2021)
05/04/2021	<u>16</u>	ORAL ORDER GRANTING <u>14</u> Motion to Seal Document – IT IS HEREBY ORDERED that the motion is GRANTED. Defendants' shall file a redacted version within seven (7) days. ORDERED by Judge Maryellen Noreika on 5/4/2021. (dlw) (Entered: 05/04/2021)
05/04/2021	<u>17</u>	MOTION for Pro Hac Vice Appearance of Attorney Mark C. Nelson – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Certification by Counsel to be Admitted Pro Hac Vice (Mark C. Nelson))(Stover, Chad) (Entered: 05/04/2021)
05/04/2021		SO ORDERED, re <u>17</u> MOTION for Pro Hac Vice Appearance of Attorney Mark C. Nelson filed by Raymond E. Cline, Jr., Michael T. McNamara, Lancium LLC. ORDERED by Judge Maryellen Noreika on 5/4/2021. (mdb) (Entered: 05/04/2021)
05/06/2021		Pro Hac Vice Attorney Mark C. Nelson for Raymond E. Cline, Jr, Lancium LLC, and Michael T. McNamara added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mal) (Entered: 05/06/2021)
05/12/2021	<u>18</u>	REDACTED VERSION of <u>13</u> Answer to Complaint,, Counterclaim, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Stover, Chad) (Entered: 05/12/2021)
05/24/2021	<u>19</u>	AMENDED COMPLAINT against Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara– filed by Austin Storms, BearBox LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Mayo, Andrew) (Additional attachment(s) added on 5/25/2021: # <u>3</u> Redline Comparison) (dlw). (Entered: 05/24/2021)
05/24/2021	<u>20</u>	ANSWER to <u>13</u> Answer to Complaint,, Counterclaim, by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 05/24/2021)
05/25/2021	<u>21</u>	ORAL ORDER – IT IS HEREBY ORDERED that the parties shall confer regarding proposed dates in the scheduling order and shall submit a proposed order, including a

		proposal for the length and timing of trial, to the Court no later than thirty (30) days from the date of this Order. The parties are to use the Court's form scheduling order, which is posted at http://www.ded.uscourts.gov (see Chambers, Judge Noreika, Forms (last updated 4/2021)). If there are disputes or issues that the Court needs to address in the proposed scheduling order, the parties shall direct the Court to the paragraph numbers in which those appear in a cover letter to the Court. ORDERED by Judge Maryellen Noreika on 5/25/2021. (dlw) (Entered: 05/25/2021)
05/27/2021	<u>22</u>	NOTICE OF SERVICE of i) Defendants Lancium LLC, Michael T. McNamara and Raymond E. Cline, Jr.'s First Set of Requests to Produce to Plaintiffs and ii) Defendants Lancium LLC, Michael T. McNamara and Raymond E. Cline, Jr.'s First Set of Interrogatories to Plaintiffs filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.(Stover, Chad) (Entered: 05/27/2021)
06/04/2021	<u>23</u>	[SEALED] ANSWER to Amended Complaint, re: <u>19</u> Amended Complaint, with Jury Demand , COUNTERCLAIM against BearBox LLC, Austin Storms by Michael T. McNamara, Raymond E. Cline, Jr, Lancium LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Certificate of Service)(Stover, Chad) (Entered: 06/04/2021)
06/04/2021	<u>24</u>	REDACTED VERSION of <u>23</u> Answer to Amended Complaint,, Counterclaim, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Stover, Chad) (Entered: 06/04/2021)
06/09/2021	<u>25</u>	NOTICE OF SERVICE of Plaintiffs' First Set of Interrogatories Directed to all Defendants filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 06/09/2021)
06/23/2021	<u>26</u>	ANSWER to <u>23</u> Answer to Amended Complaint,, Counterclaim, by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 06/23/2021)
06/24/2021	<u>27</u>	Letter to The Honorable Maryellen Noreika from Andrew C. Mayo regarding proposed scheduling order. (Attachments: # <u>1</u> Proposed Scheduling Order)(Mayo, Andrew) (Entered: 06/24/2021)
06/25/2021	<u>28</u>	[SEALED] AMENDED ANSWER to <u>19</u> Amended Complaint,, COUNTERCLAIM against BearBox LLC, Austin Storms by Michael T. McNamara, Raymond E. Cline, Jr, Lancium LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Certificate of Service)(Stover, Chad) (Additional attachment(s) added on 6/28/2021: # <u>6</u> Redline Comparison) (dlw). (Entered: 06/25/2021)
06/25/2021	<u>29</u>	NOTICE OF SERVICE of Defendants' Responses to Plaintiffs' Requests for Production of Documents and Things (Nos. 1–30) filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.(Stover, Chad) (Entered: 06/25/2021)
06/25/2021	<u>30</u>	REDACTED VERSION of <u>28</u> Amended Answer to Complaint,, Counterclaim, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Stover, Chad) (Entered: 06/25/2021)
06/25/2021	<u>31</u>	NOTICE OF SERVICE of Plaintiffs' Objections and Responses to Defendants' First Set of Requests for Production of Documents (Nos. 1–11 and Plaintiffs' Objections and Responses to Defendants' First Set of Interrogatories (Nos. 1–9) filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 06/25/2021)
06/28/2021	<u>32</u>	MOTION for Judgment on the Pleadings – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Text of Proposed Order)(Stover, Chad) (Entered: 06/28/2021)
06/28/2021	<u>33</u>	OPENING BRIEF in Support re <u>32</u> MOTION for Judgment on the Pleadings filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.Answering Brief/Response due date per Local Rules is 7/12/2021. (Stover, Chad) (Main Document 33 replaced on 6/29/2021) (dlw). (Entered: 06/28/2021)
06/29/2021		CORRECTING ENTRY: D.I. 33 has been replaced on the docket at the request of counsel. The track changes have now all been accepted. (dlw) (Entered: 06/29/2021)
07/01/2021	<u>34</u>	STIPULATION TO EXTEND TIME for Plaintiffs to respond to Defendants' Motion for Judgment on the Pleadings to July 19, 2021 – filed by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 07/01/2021)

07/01/2021		SO ORDERED re <u>34</u> STIPULATION TO EXTEND TIME for Plaintiffs to respond to Defendants' Motion for Judgment on the Pleadings to July 19, 2021 (Set Briefing Schedule: re <u>32</u> MOTION for Judgment on the Pleadings – Answering Brief due 7/19/2021). ORDERED by Judge Maryellen Noreika on 7/1/2021. (dlw) (Entered: 07/01/2021)
07/06/2021	<u>35</u>	SCHEDULING ORDER: Case referred to the Magistrate Judge for the purpose of exploring ADR. Joinder of Parties due by 11/1/2021. Amended Pleadings due by 11/1/2021. Fact Discovery completed by 12/14/2021. Opening Expert Reports due by 1/18/2022. Rebuttal Expert Reports due by 2/18/2022. Reply Expert Reports due by 3/5/2022. Expert Discovery due by 4/13/2022. Dispositive Motions due by 6/13/2022. A Pretrial Conference is set for 11/22/2022 at 04:30 PM in Courtroom 4A before Judge Maryellen Noreika. A 4–day Jury Trial is set for 12/5/2022 at 09:30 AM in Courtroom 4A before Judge Maryellen Noreika. Signed by Judge Maryellen Noreika on 7/6/2021. (dlw) (Entered: 07/06/2021)
07/07/2021		CASE REFERRED to Magistrate Judge Mary Pat Thyng for Mediation. Please see Standing Order dated January 20, 2016, regarding disclosure of confidential ADR communications. A link to the standing order is provided here for your convenience at https://www.ded.uscourts.gov/sites/ded/files/forms/StandingOrderforADR–Mediation.pdf (Taylor, Daniel) (Entered: 07/07/2021)
07/07/2021		ORAL ORDER: This matter has been referred to Chief Magistrate Judge Mary Pat Thyng for ADR. Should any party (or all parties) desire to discuss mediation and its timing, the party(ies) shall contact Judge Thyng and her Law Clerk, Daniel Taylor (daniel_taylor@ded.uscourts.gov), to request that a teleconference be scheduled. Ordered by Judge Mary Pat Thyng on 7/7/2021. (Taylor, Daniel) (Entered: 07/07/2021)
07/08/2021	<u>36</u>	MOTION for Pro Hac Vice Appearance of Attorney Adam M. Kaufmann – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Certification by Counsel to be Admitted Pro Hac Vice)(Stover, Chad) (Entered: 07/08/2021)
07/08/2021		SO ORDERED re <u>36</u> MOTION for Pro Hac Vice Appearance of Attorney Adam M. Kaufmann filed by Raymond E. Cline, Jr., Michael T. McNamara, Lancium LLC. ORDERED by Judge Maryellen Noreika on 7/8/2021. (dlw) (Entered: 07/08/2021)
07/09/2021	<u>37</u>	STIPULATION TO EXTEND TIME for Plaintiffs to respond to Defendants' Counterclaims to July 16, 2021 – filed by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 07/09/2021)
07/09/2021		SO ORDERED re <u>37</u> STIPULATION TO EXTEND TIME for Plaintiffs to respond to Defendants' Counterclaims to July 16, 2021. ORDERED by Judge Maryellen Noreika on 7/9/2021. (dlw) (Entered: 07/09/2021)
07/12/2021	<u>38</u>	NOTICE OF SERVICE of Plaintiffs' Initial Disclosures and Plaintiffs' Disclosures pursuant to Section 3 of the Court's Default Standard for Discovery filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 07/12/2021)
07/12/2021	<u>39</u>	NOTICE OF SERVICE of (i) Defendants' Initial Disclosures and (ii) Defendants' Disclosures Pursuant to Paragraph 3 of the Courts Default Standard for Discovery filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.(Stover, Chad) (Entered: 07/12/2021)
07/16/2021	<u>40</u>	STIPULATION TO EXTEND TIME for the submission of a proposed protective order to July 23, 2021 – filed by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 07/16/2021)
07/16/2021		SO ORDERED, re <u>40</u> STIPULATION TO EXTEND TIME for the submission of a proposed protective order to July 23, 2021 filed by BearBox LLC, Austin Storms. Ordered by Judge Maryellen Noreika on 7/16/2021. (asw) (Entered: 07/16/2021)
07/16/2021	<u>41</u>	ANSWER to <u>28</u> Amended Answer to Complaint,, Counterclaim, by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 07/16/2021)
07/19/2021	<u>42</u>	ANSWERING BRIEF in Opposition re <u>32</u> MOTION for Judgment on the Pleadings filed by BearBox LLC, Austin Storms.Reply Brief due date per Local Rules is 7/26/2021. (Mayo, Andrew) (Entered: 07/19/2021)

07/22/2021	<u>43</u>	STIPULATION TO EXTEND TIME for Defendants to file a reply in support of their Motion for Judgment on the Pleadings to July 30, 2021 – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 07/22/2021)
07/22/2021		SO ORDERED re <u>43</u> STIPULATION TO EXTEND TIME for Defendants to file a reply in support of their Motion for Judgment on the Pleadings to July 30, 2021 (Set Briefing Schedule: re <u>32</u> MOTION for Judgment on the Pleadings – Reply Brief due 7/30/2021). ORDERED by Judge Maryellen Noreika on 7/22/2021. (dlw) (Entered: 07/22/2021)
07/23/2021		Pro Hac Vice Attorney Adam Kaufmann for Raymond E. Cline, Jr, Lancium LLC, and Michael T. McNamara added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (apk) (Entered: 07/23/2021)
07/23/2021	<u>44</u>	NOTICE PF SERVICE of Defendants' Responses to Plaintiffs' First Set of Interrogatories Directed to All Defendants by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara (Stover, Chad) Modified on 7/23/2021 (dlw). (Entered: 07/23/2021)
07/28/2021	<u>45</u>	ORAL ORDER Setting Teleconference: Having been advised by the parties of their inability to resolve a protective order dispute, IT IS HEREBY ORDERED that a Telephone Conference is set for 9/8/2021 at 11:00 AM before Judge Maryellen Noreika. The joint 2–page letter attaching the protective order with the competing provisions included is due on or before 9/2/2021. Counsel shall provide a teleconference dial–in number and code for the teleconference by emailing this Court's judicial administrator. ORDERED by Judge Maryellen Noreika on 7/28/2021. (dlw) (Entered: 07/28/2021)
07/30/2021	<u>46</u>	REPLY to Response to Motion re <u>32</u> MOTION for Judgment on the Pleadings filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 07/30/2021)
08/05/2021	<u>47</u>	REQUEST for Oral Argument by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara re <u>32</u> MOTION for Judgment on the Pleadings . (Stover, Chad) (Entered: 08/05/2021)
08/23/2021	<u>48</u>	Joint Letter to The Honorable Maryellen Noreika from Andrew C. Mayo regarding disputed provision in protective order. (Attachments: # <u>1</u> Text of Proposed Order)(Mayo, Andrew) (Entered: 08/23/2021)
08/24/2021	<u>49</u>	ORAL ORDER – IT IS HEREBY ORDERED that the current discovery dispute and all future FACT discovery disputes are referred to Judge Christopher J. Burke. Judge Burke will issue a further order regarding the logistics for the 9/8/2021 11:00 AM teleconference, including whether it will be held as scheduled or rescheduled. ORDERED by Judge Maryellen Noreika on 8/24/2021. (dlw) (Entered: 08/24/2021)
08/24/2021	<u>50</u>	ORAL ORDER: The Court, having been referred all fact discovery disputes in this case, hereby ORDERS as follows: (1) The currently–pending protective order discovery dispute will go forward on the same date and time as was previously scheduled by Judge Noreika.; (2) The parties should file a "Motion to Resolve Discovery Disputes" for the Court's administrative purposes. Some suggested text for this motion can be found in the Forms tab of Magistrate Judge Burke's page on the District Court's website.; (3) Additionally, by no later than September 2, 2021, the parties shall jointly provide the Court's Courtroom Deputy, Ms. Benyo, with a dial–in number via e–mail to use for the call.; and (4) It is possible that the Court may choose to resolve this dispute prior to the telephone conference and may, in that event, cancel the conference. Ordered by Judge Christopher J. Burke on 8/24/2021. (dlb) (Entered: 08/24/2021)
08/25/2021	<u>51</u>	Joint MOTION for Teleconference to Resolve Protective Order Dispute – filed by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 08/25/2021)
08/25/2021		MOTION REFERRED: <u>51</u> Joint MOTION for Teleconference to Resolve Protective Order Dispute Motion referred to Christopher J. Burke.(dlb) (Entered: 08/25/2021)
08/25/2021	<u>52</u>	ORAL ORDER: The Court, having reviewed the case history in light of the August 24, 2021 referral, hereby ORDERS that going forward, the procedures for resolving a dispute relating to fact discovery shall be as follows: Should counsel find, after good faith efforts including verbal communication among Delaware and Lead Counsel for all parties to the dispute, that they are unable to resolve a discovery matter, the parties involved in the dispute shall submit a joint letter with the text set out in the Court's standard Rule 16

		Scheduling Order for Patent Cases, which can be found in the "Forms" tab of Magistrate Judge Burke's page on the District Court's website. The moving party (i.e., the party seeking relief from the Court) should also file a Motion For Teleconference To Resolve Discovery Dispute. The suggested text for this motion can be found in the same Forms tab. The Court will thereafter set a discovery dispute telephone conference and letter briefing schedule. Ordered by Judge Christopher J. Burke on 8/25/2021. (dlb) (Entered: 08/25/2021)
08/27/2021	<u>53</u>	NOTICE OF SERVICE of Plaintiffs' Supplemental Objections and Responses to Defendants' First Set of Interrogatories (Nos. 1–9) filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 08/27/2021)
08/31/2021	<u>54</u>	Letter to The Honorable Maryellen Noreika from Andrew C. Mayo regarding joint status report in connection with request for claim construction hearing. (Mayo, Andrew) (Entered: 08/31/2021)
08/31/2021	<u>55</u>	MOTION for Pro Hac Vice Appearance of Attorney Dana Amato Sarros – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Certification by Counsel to be Admitted Pro Hac Vice)(Stover, Chad) (Entered: 08/31/2021)
09/01/2021		SO ORDERED re <u>55</u> MOTION for Pro Hac Vice Appearance of Attorney Dana Amato Sarros filed by Raymond E. Cline, Jr., Michael T. McNamara, Lancium LLC. ORDERED by Judge Maryellen Noreika on 9/1/2021. (dlw) (Entered: 09/01/2021)
09/01/2021		Pro Hac Vice Attorney Dana A. Sarros for Raymond E. Cline, Jr, Lancium LLC, and Michael T. McNamara added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (twk) (Entered: 09/01/2021)
09/08/2021		Minute Entry for proceedings held before Judge Christopher J. Burke – Discovery Conference held on 9/8/2021. The Court heard argument from the parties regarding the protective order dispute, (D.I. 51). The Court ordered that Defendants' proposed provision be inserted into the parties' protective order, and further ordered the parties to submit a proposed protective order within three business days. The transcript of the teleconference shall serve as the substance of the Court's order. (Court Reporter Stacy Ingram (Hawkins). Clerk: M. Crawford) Appearances: A. Mayo, J. Labbe, B. Horton for Plaintiff; C. Stover, A. Kaufmann for Defendants. (mlc) (Entered: 09/08/2021)
09/10/2021	<u>56</u>	PROPOSED ORDER (Proposed Protective Order) by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 09/10/2021)
09/10/2021	57	ORAL ORDER REFERRING CASE to Magistrate Judge Christopher J. Burke – IT IS HEREBY ORDERED that this case, including the pending motion to dismiss, is referred to Magistrate Judge Christopher J. Burke to hear and resolve all pre–trial matters up to and including expert discovery matters (but not including summary judgment motions, Daubert motions, pre–trial motions in limine or the pre–trial conference), subject to 28 U.S.C. § 636(b) and any further Order of the Court. All subsequent filings in this action shall be captioned as follows: Civil Action No. 21–534–MN–CJB. Signed by Judge Maryellen Noreika on 9/10/2021. (dlw) (Entered: 09/10/2021)
09/10/2021	<u>58</u>	PROTECTIVE ORDER. Signed by Judge Christopher J. Burke on 9/10/2021. (dlb) (Entered: 09/10/2021)
09/13/2021		REMARK: The parties should be aware that the Court encourages the participation of newer attorneys in courtroom proceedings and at oral argument. Please see the Court's Standing Order Regarding Courtroom Opportunities for Newer Attorneys, a link to which is provided here for the parties' convenience: http://www.ded.uscourts.gov/sites/ded/files/forms/StandingOrder2017.pdf (dlb) (Entered: 09/13/2021)
09/13/2021	59	ORAL ORDER: The Court, having reviewed the parties' August 31, 2021 letter regarding the need for a claim construction hearing, (D.I. 54), in light of the September 10, 2021 referral of the case, (D.I. 57), hereby ORDERS that Plaintiffs' request to extend the deadline for the parties to notify the Court whether or not claim construction is necessary in this case to October 15, 2021 is GRANTED. Ordered by Judge Christopher J. Burke on 9/13/2021. (dlb) (Entered: 09/13/2021)

10/11/2021	<u>60</u>	NOTICE OF SERVICE of Defendants' First Supplemental Responses to Plaintiffs' First Set of Interrogatories (Nos. 1–4) Directed to All Defendants filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.(Stover, Chad) (Entered: 10/11/2021)
10/15/2021	<u>61</u>	Letter to The Honorable Christopher J. Burke from Andrew C. Mayo regarding request for claim construction hearing. (Mayo, Andrew) (Entered: 10/15/2021)
10/15/2021	<u>62</u>	[SEALED] NOTICE of Service of Subpoenas by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Certificate of Service)(Stover, Chad) (Main Document 62 replaced on 10/15/2021) (mdb). (Entered: 10/15/2021)
10/15/2021		CORRECTING ENTRY: The main document of the Notice of Service (<u>62</u>) has been replaced to add "CONFIDENTIAL – FILED UNDER SEAL" in the caption. (mdb) (Entered: 10/15/2021)
10/15/2021	<u>63</u>	Letter to Judge Christopher J. Burke from Chad S.C. Stover regarding Claim Construction. (Stover, Chad) (Entered: 10/15/2021)
10/18/2021	<u>64</u>	NOTICE OF SERVICE of Notice of Subpoenas filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 10/18/2021)
10/21/2021	<u>65</u>	NOTICE OF SERVICE of (i) Defendants Lancium LLC, Michael T. McNamara, and Raymond E. Cline Jr.'s Second Set of Interrogatories to Plaintiffs (Nos. 10–18) and (ii) Defendants Lancium LLC, Michael T. McNamara, and Raymond E. Cline Jr.'s Second Set of Requests for Production to Plaintiffs and (iii) Defendants Lancium LLC, Michael T. McNamara, and Raymond E. Cline Jr.'s First Requests for Admissions to Plaintiffs (Nos. 1–33) filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.(Stover, Chad) (Entered: 10/21/2021)
10/25/2021	<u>66</u>	AFFIDAVIT of Service for Subpoena to Produce Documents, Information, Or Objects or to Permit Inspection of Premises in a Civil Action and Schedule A served on GSlidePath Power Solutions, LLC c/o Corporation Service Company on 10/15/2021, filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 10/25/2021)
10/25/2021	<u>67</u>	AFFIDAVIT of Service for Subpoena to Produce Documents, Information or Objects or to Permit Inspection of Premises in a Civil Action and Subpoena A served on Pareto Real Estate Advisors, LLC on 10/18/2021, filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 10/25/2021)
10/25/2021	<u>68</u>	AFFIDAVIT of Service for Subpoena to Produce Documents, Information, Or Objects or to Permit Inspection of Premises in a Civil Action and Schedule A served on Benjamin H. Hakes on 10/19/2021, filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 10/25/2021)
10/29/2021		CORRECTING ENTRY: DI 69 deleted per request of counsel, filed in incorrect case. (smg) (Entered: 10/29/2021)
10/29/2021	<u>69</u>	[SEALED] NOTICE OF SERVICE of (i) Subpoena to Great American Mining, LLC to appear to testify and (ii) Subpoena Great American Mining, LLC to produce documents filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit A – subpoena to appear to testify (Great American Mining, LLC), # <u>2</u> Exhibit B – subpoena to produce documents (Great American Mining, LLC), # <u>3</u> Certificate of Service)(Stover, Chad) (Entered: 10/29/2021)
10/29/2021	<u>70</u>	REDACTED VERSION of <u>62</u> Notice (Other), by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Stover, Chad) (Entered: 10/29/2021)
10/29/2021	<u>71</u>	REDACTED VERSION of <u>69</u> Notice of Service, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Stover, Chad) (Entered: 10/29/2021)
11/03/2021	<u>72</u>	AFFIDAVIT of Service for Subpoena to Testify at a Deposition served on Great American Mining, Inc. on 11/1/2021, filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 11/03/2021)

11/03/2021	<u>73</u>	AFFIDAVIT of Service for Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises served on Great American Mining, Inc. on 11/1/2021, filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 11/03/2021)
11/04/2021	<u>74</u>	NOTICE OF SERVICE of Subpoena to Produce Documents to Fortress Blockchain (US) Holdings Corp. filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit A)(Stover, Chad) (Entered: 11/04/2021)
11/09/2021	<u>75</u>	NOTICE OF SERVICE of Plaintiffs' Supplemental Objections and Responses to Defendants' First Set of Interrogatories (Nos. 1–9) filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 11/09/2021)
11/10/2021	<u>76</u>	AFFIDAVIT of Service for Subpoena to Produce Documents, Information or Objects or to Permit Inspection of Premises served on Fortress Blockchain (US) Holdings Corp. on 11/4/2021, filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 11/10/2021)
11/12/2021	<u>77</u>	NOTICE OF SERVICE of Plaintiffs' Second Set of Requests for Production of Documents and Things to Defendants (Nos. 31–41); (2) Plaintiffs' Second Set of Interrogatories Directed to All Defendants (Nos. 6–16); and (3) Notice of Deposition of Lancium LLC filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 11/12/2021)
11/15/2021	<u>78</u>	NOTICE OF SERVICE of (i) Defendants Lancium LLC, Michael T. McNamara, and Raymond E. Cline Jr.'s Third Set of Interrogatories to Plaintiffs (Nos. 22–25) (ii) Defendants Lancium LLC, Michael T. McNamara, and Raymond E. Cline Jr.'s Third Set of Requests to Produce to Plaintiffs and (iii) Defendants Lancium LLC, Michael T. McNamara, and Raymond E. Cline Jr.'s Second Requests for Admissions to Plaintiffs (Nos. 34–41) filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.(Stover, Chad) (Entered: 11/15/2021)
11/18/2021	<u>79</u>	NOTICE to Take Deposition of Bearbox, LLC on December 9, 2021 at 9AM (ET) filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit A)(Stover, Chad) (Entered: 11/18/2021)
11/19/2021	<u>80</u>	NOTICE OF SERVICE of Subpoena to Testify at a Deposition to Benjamin H. Hakes filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.(Stover, Chad) (Entered: 11/19/2021)
11/19/2021	<u>81</u>	NOTICE to Take Deposition of Austin Storms on December 10, 2021 filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.(Stover, Chad) (Entered: 11/19/2021)
11/22/2021	<u>82</u>	STIPULATION to amend certain deadlines in scheduling order by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 11/22/2021)
11/22/2021	<u>83</u>	NOTICE OF SERVICE of (i) Plaintiffs' Objections and Responses to Defendants' Second Set of Requests for Production of Documents (Nos. 12–42); (ii) Plaintiffs' Objections and Responses to Defendants' Second Set of Interrogatories (Nos. 10–21); and (iii) Plaintiffs' Objections and Responses to Defendants' First Set of Requests for Admission (Nos. 1–33) filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 11/22/2021)
11/23/2021		SO ORDERED D.I. <u>82</u> Stipulation to extend certain scheduling order deadlines filed by BearBox LLC, Austin Storms. Pretrial Conference and Trial deadlines remain unchanged. Ordered by Judge Christopher J. Burke on 11/23/2021. (dlb) (Entered: 11/23/2021)
12/02/2021	<u>84</u>	NOTICE OF SERVICE of Defendant Lancium, LLC's Objections to Plaintiffs' Notice of 30(b)(6) Deposition of Lancium, LLC filed by Lancium LLC.(Stover, Chad) (Entered: 12/02/2021)
12/15/2021	<u>85</u>	NOTICE OF SERVICE of Subpoena to Testify at a Deposition to Benjamin H. Hakes filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit A)(Stover, Chad) (Entered: 12/15/2021)
12/23/2021	<u>86</u>	NOTICE OF SERVICE of 1) Defendants' Supplemental Response to Plaintiffs' Interrogatory No. 3; 2) Defendants' Responses to Plaintiffs' Second Set of Requests for Production of Documents and Things (Nos. 31–41); and 3) Defendants Responses to Plaintiffs' Second Set of Interrogatories Directed to All Defendants (Nos. 6–16) filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.(Stover, Chad) (Entered: 12/23/2021)

12/23/2021	<u>87</u>	NOTICE OF SERVICE of (i) Plaintiffs' Objections and Responses to Defendants' Third Set of Requests for Production of Documents (Nos. 43–54), (ii) Plaintiffs' Objections and Responses to Defendants' Second Set of Requests for Admission (Nos. 34–41), and (iii) Plaintiffs' Objections and Responses to Defendants' Third Set of Interrogatories (Nos. 22–25) filed by BearBox LLC.(Mayo, Andrew) (Entered: 12/23/2021)
01/04/2022	<u>88</u>	STIPULATION to amend scheduling order by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 01/04/2022)
01/04/2022	89	SO ORDERED D.I. <u>88</u> Stipulation to amend Scheduling Order filed by BearBox LLC, Austin Storms. Ordered by Judge Christopher J. Burke on 1/4/2022. (mlc) (Entered: 01/04/2022)
01/10/2022	<u>90</u>	NOTICE OF SERVICE of Defendants Supplemental Initial Disclosures filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.(Stover, Chad) (Entered: 01/10/2022)
01/18/2022	<u>91</u>	PROPOSED ORDER (Proposed Addendum to Protective Order to Address Source Code) by BearBox LLC. (Mayo, Andrew) (Entered: 01/18/2022)
01/18/2022	<u>92</u>	REPORT AND RECOMMENDATIONS re <u>32</u> MOTION for Judgment on the Pleadings filed by Raymond E. Cline, Jr., Michael T. McNamara, Lancium LLC. Please note that when filing Objections pursuant to Federal Rule of Civil Procedure 72(b)(2), briefing consists solely of the Objections (no longer than ten (10) pages) and the Response to the Objections (no longer than ten (10) pages). No further briefing shall be permitted with respect to objections without leave of the Court. Objections to R&R due by 2/1/2022. Signed by Judge Christopher J. Burke on 1/18/2021. (dlb) (Entered: 01/18/2022)
01/19/2022	<u>93</u>	Source Code ADDENDUM to Protective Order. Signed by Judge Christopher J. Burke on 1/18/2021. (dlb) (Entered: 01/19/2022)
01/20/2022	<u>94</u>	NOTICE OF SERVICE of Subpoena to Testify at a Deposition to Benjamin H. Hakes filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit A)(Stover, Chad) (Entered: 01/20/2022)
01/27/2022	<u>95</u>	NOTICE OF SERVICE of Plaintiffs' Objections to Defendants' Rule 30(b)(6) Notice of Deposition of BearBox, LLC filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 01/27/2022)
01/31/2022	<u>96</u>	NOTICE OF SERVICE of Subpoena to Testify at a Deposition to Jason Hutzler filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit A)(Stover, Chad) (Entered: 01/31/2022)
02/02/2022	<u>97</u>	ORDER ADOPTING <u>92</u> REPORT AND RECOMMENDATION GRANTING <u>32</u> Motion for Judgment on the Pleadings – IT IS HEREBY ORDERED that the <u>92</u> Report and Recommendation is ADOPTED and <u>32</u> Defendants' Motion for Judgment on the Pleadings is GRANTED. Counts III and IV of <u>19</u> Plaintiffs Amended Complaint are DISMISSED WITHOUT PREJUDICE and Count V is DISMISSED WITH PREJUDICE. Plaintiff is given leave to file a further amended complaint on or before February 16, 2022. Signed by Judge Maryellen Noreika on 2/2/2022. (dlw) (Entered: 02/02/2022)
02/03/2022	<u>98</u>	NOTICE OF SERVICE of Subpoena to Testify at a Deposition to GlidePath Power Solutions LLC filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit A)(Stover, Chad) (Entered: 02/03/2022)
02/07/2022	<u>99</u>	NOTICE OF SERVICE of Plaintiffs' Supplemental Objections and Responses to Defendants' Interrogatory Nos. 4 and 11 and Plaintiffs' Supplemental Objections and Responses to Defendants' Requests for Admission Nos. 1 and 2 filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 02/07/2022)
02/08/2022	<u>100</u>	SUBPOENA Returned Executed as to GlidePath Power Solutions, LLC c/o Corporation Service Company on 2/4/2022 (Stover, Chad) (Entered: 02/08/2022)
02/10/2022	<u>101</u>	SUBPOENA Returned Executed as to Jason Hutzler to appear at a deposition on 2/2/2022 (Stover, Chad) (Entered: 02/10/2022)
02/14/2022	<u>102</u>	NOTICE to Take Deposition of Rachel Arndt on February 17, 2022 filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 02/14/2022)

02/16/2022	<u>103</u>	Second AMENDED COMPLAINT against Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara– filed by BearBox LLC, Austin Storms. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Mayo, Andrew) (Additional attachment(s) added on 2/17/2022: # <u>3</u> Redline Comparison) (dlw). (Entered: 02/16/2022)
02/16/2022	<u>104</u>	NOTICE to Take Deposition of Michael McNamara on February 18, 2022 filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 02/16/2022)
02/16/2022	<u>105</u>	NOTICE to Take Deposition of Vitor Henrique on February 21, 2022 filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 02/16/2022)
02/18/2022	<u>106</u>	NOTICE OF SERVICE of Amended Subpoena to Testify at a Deposition to Jason Hutzler filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit A)(Stover, Chad) (Entered: 02/18/2022)
02/18/2022	<u>107</u>	NOTICE to Take Deposition of Austin Storms on February 23, 2022 at 9AM (CT) filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.(Stover, Chad) (Entered: 02/18/2022)
02/22/2022	<u>108</u>	NOTICE to Take Deposition of Raymond Cline, Jr. on February 24, 2022 filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 02/22/2022)
03/02/2022	<u>109</u>	STIPULATION TO EXTEND TIME re: Current Case Deadlines to – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 03/02/2022)
03/02/2022	<u>110</u>	STIPULATION TO EXTEND TIME to Respond to Second Amended Complaint to March 16, 2022 – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 03/02/2022)
03/03/2022		SO ORDERED D.I. <u>109</u> STIPULATION TO EXTEND Current Case Deadlines filed by Raymond E. Cline, Jr., Michael T. McNamara, Lancium LLC. See Stip for details. (Opening Expert Reports due by 4/5/2022, Rebuttal Expert Reports due by 5/6/2022, Expert Discovery due by 6/6/2022, Dispositive Motions due by 6/13/2022.) Ordered by Judge Christopher J. Burke on 3/3/2022. (dlb) (Entered: 03/03/2022)
03/03/2022		SO ORDERED D.I. <u>110</u> STIPULATION TO EXTEND TIME to Respond to Second Amended Complaint to March 16, 2022 filed by Raymond E. Cline, Jr., Michael T. McNamara, Lancium LLC. Ordered by Judge Christopher J. Burke on 3/3/2022. (dlb) (Entered: 03/03/2022)
03/03/2022	<u>111</u>	MOTION to Strike <u>103</u> Amended Complaint, <i>the Trade Secret Misappropriation Counts in the Second Amended Complaint</i> – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Text of Proposed Order)Motions referred to Christopher J. Burke.(Stover, Chad) (Entered: 03/03/2022)
03/03/2022	<u>112</u>	[SEALED] Letter to The Honorable Christopher J. Burke from Chad S.C. Stover regarding Defendants' Motion to Strike the Trade Secret Misappropriation Counts in the Second Amended Complaint – re <u>111</u> MOTION to Strike <u>103</u> Amended Complaint, <i>the Trade Secret Misappropriation Counts in the Second Amended Complaint</i> . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Certificate of Service)(Stover, Chad) (Entered: 03/03/2022)
03/10/2022	<u>113</u>	[SEALED] Letter to The Honorable Christopher J. Burke from Andrew C. Mayo regarding response to motion to strike. (Attachments: # <u>1</u> Exhibit A–J)(Mayo, Andrew) (Entered: 03/10/2022)
03/14/2022	<u>114</u>	[SEALED] Letter to The Honorable Christopher J. Burke from Chad S.C. Stover regarding Defendants' Letter Reply Brief to Motion to Strike the Trade Secret Misappropriation Counts in the Second Amended Complaint – re <u>112</u> Letter, <u>111</u> MOTION to Strike <u>103</u> Amended Complaint, <i>the Trade Secret Misappropriation Counts in the Second Amended Complaint</i> . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 (Declaration of Adam Kaufmann), # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Certificate of Service)(Stover, Chad) (Entered: 03/14/2022)
03/14/2022	<u>115</u>	Letter to The Honorable Christopher J. Burke from Chad S.C. Stover regarding Lancium's request for a teleconference on Lancium's Motion to Strike the Trade Secret Misappropriation Counts in the Second Amended Complaint – re <u>111</u> MOTION to Strike <u>103</u> Amended Complaint, <i>the Trade Secret Misappropriation Counts in the Second Amended Complaint</i> . (Stover, Chad) (Entered: 03/14/2022)

03/14/2022	<u>116</u>	Letter to The Honorable Christopher J. Burke from Andrew C. Mayo regarding Request for Discovery Hearing. (Mayo, Andrew) (Entered: 03/14/2022)
03/15/2022	<u>117</u>	REDACTED VERSION of <u>112</u> Letter, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Stover, Chad) (Entered: 03/15/2022)
03/15/2022	<u>118</u>	ORAL ORDER Setting Teleconference: The Court has reviewed the parties' March 14, 2022 letters requesting a teleconference regarding Defendants Motion to Strike the Trade Secret Misappropriation Counts in the Second Amended Complaint (the "motion to strike") and regarding one discovery dispute. (D.I. 115; D.I. 116) It hereby ORDERS as follows: (1) A telephone conference to address the motion to strike and the discovery dispute is set for April 4, 2022 at 3:00 PM before Judge Christopher J. Burke.; (2) The parties shall file a joint "Motion for Teleconference to Resolve Discovery Dispute," the text of which can be found in the "Forms" tab of Judge Burke's page on the District Court's website.; (3) By March 22, 2022, any party seeking relief shall file with the Court a letter, not to exceed two (2) single-spaced pages, in no less than 12-point font, outlining the issue in dispute and its position on that issue. By March 29, 2022, any party opposing the application for relief may file a letter, not to exceed two (2) single-spaced pages, in no less than 12-point font, outlining that party's reasons for its opposition.; (4) The parties should also consult and follow Judge Burke's "Guidelines for Discovery Disputes," which is found in the "Guidelines" tab on Judge Burke's portion of the District Court's website.; (5) By no later than March 31, 2022, the parties shall jointly provide the Court's Courtroom Deputy, Deborah Benyo, with a dial-in number via e-mail to use for the call.; and (6) The Court may choose to resolve the motion to strike and discovery dispute prior to the telephone conference and will, in that event, cancel the conference. Ordered by Judge Christopher J. Burke on 3/15/2022. (dlb) (Entered: 03/15/2022)
03/16/2022	<u>119</u>	MOTION for Pro Hac Vice Appearance of Attorney Darrick J. Hooker – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Certification by Counsel to be Admitted Pro Hac Vice)Motions referred to Christopher J. Burke.(Stover, Chad) (Entered: 03/16/2022)
03/16/2022	<u>120</u>	MOTION to Dismiss Based upon // Motion to Dismiss Counts V and VI of the Second Amended Complaint – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Text of Proposed Order)(Stover, Chad) (Entered: 03/16/2022)
03/16/2022	<u>121</u>	OPENING BRIEF in Support re <u>120</u> MOTION to Dismiss Based upon // Motion to Dismiss Counts V and VI of the Second Amended Complaint filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. Answering Brief/Response due date per Local Rules is 3/30/2022. (Stover, Chad) (Entered: 03/16/2022)
03/16/2022		MOTION REFERRED: <u>120</u> MOTION to Dismiss Based upon // Motion to Dismiss Counts V and VI of the Second Amended Complaint Motion referred to Christopher J. Burke.(dlb) (Entered: 03/17/2022)
03/17/2022	<u>122</u>	REDACTED VERSION of <u>113</u> Letter by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 03/17/2022)
03/21/2022	<u>123</u>	REDACTED VERSION of <u>114</u> Letter., by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Stover, Chad) (Entered: 03/21/2022)
03/22/2022	<u>124</u>	[SEALED] Letter to The Honorable Christopher J. Burke from Andrew C. Mayo regarding April 4, 2022 discovery dispute hearing. (Attachments: # <u>1</u> Exhibit A–G)(Mayo, Andrew) (Entered: 03/22/2022)
03/28/2022	<u>125</u>	[SEALED] STIPULATION regarding 1–page letter briefs in connection with motion to strike by BearBox LLC, Austin Storms. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Mayo, Andrew) (Entered: 03/28/2022)
03/29/2022		SO ORDERED D.I. <u>125</u> Stipulation regarding 1–page letter briefs in connection with motion to strike filed by BearBox LLC, Austin Storms. Ordered by Judge Christopher J. Burke on 3/29/2022. (mlc) (Entered: 03/29/2022)
03/29/2022	<u>126</u>	[SEALED] Letter to The Honorable Christopher J. Burke from Chad S.C. Stover regarding response to Plaintiffs' Motion to Compel – re <u>124</u> Letter. (Attachments: # <u>1</u>

		Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Certificate of Service)(Stover, Chad) (Entered: 03/29/2022)
03/30/2022	<u>127</u>	REDACTED VERSION of <u>124</u> Letter by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 03/30/2022)
03/30/2022	<u>128</u>	ANSWERING BRIEF in Opposition re <u>120</u> MOTION to Dismiss Based upon // Motion to Dismiss Counts V and VI of the Second Amended Complaint filed by BearBox LLC, Austin Storms. Reply Brief due date per Local Rules is 4/6/2022. (Mayo, Andrew) (Entered: 03/30/2022)
04/01/2022	<u>129</u>	NOTICE OF SERVICE of Plaintiffs' Supplemental Objections and Responses to Defendants' Interrogatory Nos. 22, 24 and 25 filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 04/01/2022)
04/04/2022	130	ORAL ORDER Resetting Hearing on Motion and Discovery Dispute Teleconference: Due to an unforeseen scheduling conflict, the Motion Hearing and Discovery Dispute Teleconference set for April 4, 2022 at 3:00 PM will be rescheduled. It is hereby ORDERED that the Discovery Dispute and Motion Hearing Teleconference is rescheduled for 4/22/2022 at 03:00 PM before Judge Christopher J. Burke. By no later than April 18, 2022, the parties shall jointly provide the Court's Courtroom Deputy, Deborah Benyo, with a dial-in number via e-mail to use for the call. Ordered by Judge Christopher J. Burke on 4/4/2022. (dlb) (Entered: 04/04/2022)
04/04/2022	<u>131</u>	[SEALED] Letter to the Honorable Christopher J. Burke from Chad S.C. Stover regarding re: exhibit inadvertently omitted from Defendants' response to Plaintiffs' Motion to Compel – re <u>126</u> Letter. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Certificate of Service)(Stover, Chad) (Entered: 04/04/2022)
04/04/2022		CASE NO LONGER REFERRED to Chief Magistrate Judge Thyng for the purpose of exploring ADR. Pursuant to the Court's <u>Standing Order No. 2022–2</u> , dated March 14, 2022, "[u]nless otherwise directed by the Court, Magistrate Judges will no longer engage in alternative dispute resolution of patent and securities cases." <i>See also</i> 28 U.S.C. § 652(b). (Taylor, Daniel) (Entered: 04/04/2022)
04/05/2022	<u>132</u>	REDACTED VERSION of <u>126</u> Letter by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Stover, Chad) (Entered: 04/05/2022)
04/06/2022	<u>133</u>	REPLY BRIEF re <u>120</u> MOTION to Dismiss Based upon // Motion to Dismiss Counts V and VI of the Second Amended Complaint filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 04/06/2022)
04/12/2022	<u>134</u>	Joint MOTION for Teleconference to Resolve Discovery Dispute re 130 Order Setting Hearing on Motion,, – filed by BearBox LLC, Austin Storms. Motions referred to Christopher J. Burke.(Mayo, Andrew) (Entered: 04/12/2022)
04/13/2022	<u>135</u>	REQUEST for Oral Argument by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara re <u>120</u> MOTION to Dismiss Based upon // Motion to Dismiss Counts V and VI of the Second Amended Complaint, <u>111</u> MOTION to Strike <u>103</u> Amended Complaint, <i>the Trade Secret Misappropriation Counts in the Second Amended Complaint</i> . (Stover, Chad) (Entered: 04/13/2022)
04/14/2022		SO ORDERED D.I. <u>119</u> MOTION for Pro Hac Vice Appearance of Attorney Darrick J. Hooker filed by Raymond E. Cline, Jr., Michael T. McNamara, Lancium LLC. Ordered by Judge Christopher J. Burke on 4/14/2022. (dlb) (Entered: 04/14/2022)
04/14/2022		Pro Hac Vice Attorney Darrick J. Hooker for Raymond E. Cline, Jr, Lancium LLC, and Michael T. McNamara added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (srs) (Entered: 04/14/2022)
04/20/2022	136	ORAL ORDER: The Court, having reviewed the pending motion to dismiss ("Motion"), (D.I. 120), hereby ORDERS as follows: (1) The Court will hear argument on the Motion on Monday, May 23, 2022 at 1:00 PM via teleconference.; (2) By no later than May 18, 2022, the parties shall jointly provide the Court's Courtroom Deputy, Ms. Benyo, with a dial-in number via e-mail to use for the call; and (3) The Court may choose to resolve the Motion prior to the telephone conference and will, in that event, cancel the conference (however, if any party advises the Court in advance that a newer attorney will argue the

		Motion, see Standing Order Regarding Courtroom Opportunities for Newer Attorneys, https://www.ded.uscourts.gov/sites/ded/files/StandingOrder2017.pdf , then the Court will go forward with the conference). Ordered by Judge Christopher J. Burke on 4/20/2022. (dlb) (Entered: 04/20/2022)
04/21/2022	<u>137</u>	ORAL ORDER: The Court, having reviewed Plaintiffs' discovery dispute motion, (D.I. 124; D.I. 134), notes that pursuant to its "Guidelines for Discovery Disputes" (Guideline #2), Plaintiffs were required to "attach a proposed order to [their] letter brief as an exhibit" in which they were to "clearly set out the nature of the requested relief as to each dispute." See Guidelines for Discovery Disputes, https://www.ded.uscourts.gov/sites/ded/files/Guidelines%20for%20Discovery%20Disputes-CJB.pdf . So far as the Court can tell, Plaintiffs did not do that, and their failure to do so is impacting the Court's ability to resolve the dispute. By no later than 5:00 p.m. today, Plaintiffs shall file such a proposed order; failure to do so will result in denial of Plaintiffs' motion. Ordered by Judge Christopher J. Burke on 4/21/2022. (dlb) (Entered: 04/21/2022)
04/21/2022	<u>138</u>	PROPOSED ORDER (Order Granting Lancium's Motion to Compel) re 137 Oral Order,,, by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 04/21/2022)
04/22/2022		Minute Entry for proceedings held before Judge Christopher J. Burke – Telephonic Motion Hearing held on 4/22/2022 regarding D.I. <u>134</u> Joint MOTION for Teleconference to Resolve Discovery Dispute; D.I. <u>111</u> MOTION to Strike <u>103</u> Amended Complaint, <i>the Trade Secret Misappropriation Counts in the Second Amended Complaint</i> filed by Raymond E. Cline, Jr., Michael T. McNamara, Lancium LLC. The Court heard the parties' arguments regarding the motions. The Court granted Plaintiffs' discovery dispute motion. The Court granted Defendants' Motion to Strike. The transcript shall serve as the substance of the Court's Orders. (Court Reporter Christa Chakejian. Clerk: S. Janicki) APPEARANCES: A. Mayo, B. Horton, and J. Labbe for Plaintiffs; C. Stover, M. Nelson, and A. Kaufmann for Defendants. (mlc) (Entered: 04/25/2022)
05/04/2022	<u>139</u>	MOTION for Pro Hac Vice Appearance of Attorney David M. Lisch – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Certification by Counsel to be Admitted Pro Hac Vice)Motions referred to Christopher J. Burke.(Stover, Chad) (Entered: 05/04/2022)
05/06/2022	<u>140</u>	NOTICE OF SERVICE of 1) Expert Report of Source Code Expert Nikolaus Baer; 2) Expert Report of Mark Ehsani, Ph.D.; and 3) Report of Shams Siddiqi, Ph.D. (Ercot Market Mechanisms) filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.(Stover, Chad) (Entered: 05/06/2022)
05/09/2022	<u>141</u>	NOTICE OF SERVICE of Expert Reports of David R. Duski, Stan McClellan and Frank McCamant filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 05/09/2022)
05/20/2022	<u>142</u>	STIPULATION and [Proposed] Order to Amend Certain Case Deadlines re <u>124</u> Letter, SO ORDERED,, Set Scheduling Order Deadlines, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 05/20/2022)
05/23/2022		SO ORDERED D.I. <u>139</u> MOTION for Pro Hac Vice Appearance of Attorney David M. Lisch filed by Raymond E. Cline, Jr., Michael T. McNamara, Lancium LLC. Ordered by Judge Christopher J. Burke on 5/22/2022. (dlb) (Entered: 05/23/2022)
05/23/2022		Minute Entry for proceedings held before Judge Christopher J. Burke – Motion Hearing held on 5/23/2022 via telephone regarding D.I. re <u>120</u> MOTION to Dismiss Based upon // Motion to Dismiss Counts V and VI of the Second Amended Complaint filed by Raymond E. Cline, Jr., Michael T. McNamara, Lancium LLC. The Court heard argument from the parties regarding the motion. The Court took the motion under advisement. (Court Reporter Stacy Ingram (Hawkins). Clerk: M. Crawford) Appearances: A. Mayo, B. Horton, J. Labbe for Plaintiffs; C. Stover, A. Kaufmann, M. Nelson for Defendants. (mlc) (Entered: 05/23/2022)
05/24/2022		SO ORDERED D.I. <u>142</u> Stipulation to extend certain scheduling order deadlines. Ordered by Judge Christopher J. Burke on 8/24/2022. (dlb) (Entered: 05/24/2022)
05/26/2022	<u>143</u>	REPORT AND RECOMMENDATION: The Court, having reviewed Defendants' motion seeking dismissal, pursuant to Fed. R. Civ. P 12(b)(6), of Plaintiffs' Count V (conversion) and Count VI (unjust enrichment) in the operative Second Amended Complaint

("Motion"), (D.I. 120), the briefing related thereto, (D.I. 121; D.I. 128; D.I. 133), and having heard argument on May 23, 2022, hereby recommends as follows: (1) With regard to Count V, the Court recommends that the Motion be DENIED. Defendants' argument is that Plaintiffs' conversion claim must fail as a matter of law because under Louisiana law (which both sides agree applies to these claims) there can be no conversion of electronic files (the type of documents allegedly converted in Count V) where the owner retains a copy of those files (as Plaintiffs acknowledge it did), since in such a case, the owner is not completely deprived of the property at issue. (D.I. 133 at 2–6) This is a difficult issue, and Defendants do cite to some Louisiana state court precedent that provides some support for their position. See *CamSoft Data Sys., Inc. v. S. Elecs. Supply, Inc.*, 2019 CA 0731, 2019 CW 0514, 2019 WL 2865359, at *2–3 & n. 3 (La. Ct. App. July 2, 2019) (concluding that a claim for conversion could not stand because "a conversion requires a deprivation of possession" and the plaintiff retained a copy of the allegedly converted electronic materials at issue); but see *Mabile v. BP, p.l.c.*, CIVIL ACTION NO. 11–1783, 2016 WL 5231839, at *1, *23 (E.D. La. Sept. 22, 2016) (permitting a conversion claim under Louisiana law that was premised on the defendant's obtaining of the plaintiff's schematic, where the plaintiff e-mailed a digital copy of the schematic but also retained a copy); cf. *Total Safety, U.S., Inc. v. Code Red Safety & Rental, LLC*, CIVIL ACTION NO. 19–12953, 2019 WL 5964971, at *1, *4–5 (E.D. La. Nov. 13, 2019). But regardless of whether Defendants are correct on that point, Louisiana law says that a conversion claim can be made out not only when a defendant unlawfully interferes with a plaintiff's "possession" of a movable, but also when a defendant unlawfully interferes with the plaintiff's "ownership" of a movable. *CamSoft*, 2019 WL 2865359, at *2; see also (D.I. 128 at 7–8). It seems to the Court that this leaves some room for a conversion claim as to property (such as the electronic data at issue here), where, even if a plaintiff is not completely dispossessed of all copies of that property, a defendant could still be said to have taken steps to have wrongfully deprived the plaintiff of "ownership" of the property. And Plaintiffs' conversion claim can be read to allege that this is what occurred here, since Plaintiffs assert, inter alia, that Defendants took certain technology that Plaintiffs rightfully owned[,] and then Defendants wrongfully utilized that technology in their Smart Response software i.e., in a manner indicating to the world that they (not Plaintiffs) owned that technology. (D.I. 103 at paras. 84–90; see also D.I. 128 at 8); and (2) With regard to Count VI, the Court recommends that the Motion be GRANTED and that the claim be dismissed with prejudice. The Louisiana Supreme Court explicitly held in *Walters v. MedSouth Record Mgmt. LLC*, 38 So. 3d 243, 244 (La. 2010), that: (a) an element of an unjust enrichment claim under Louisiana law is that there must be no other remedy at law available to the plaintiff, since this type of claim is "only applicable to fill a gap in the law where no express remedy is provided"; (b) if a plaintiff asserts in a pleading that he has another type of legal remedy for the same conduct (the "other remedy"), this establishes that he is precluded from seeking an unjust enrichment remedy for that conduct even if the plaintiff is ultimately unable to pursue that other remedy in the instant proceeding (i.e., because the plaintiff's claim as to that other remedy was dismissed). Recent federal appellate and district court decisions have recognized that this is the state of Louisiana law. See *Ferrara Fire Apparatus, Inc. v. JLG Indus., Inc.*, 581 F. Appx 440, 443–44 (5th Cir. 2014); *United States v. Cytogel Pharma, LLC*, CIVIL DOCKET NO. 16–13987, 2018 WL 5297753, at *16 n.218 (E.D. La. Oct. 25, 2018); *Andretti Sports Mktg. La., LLC v. Nola Motorsports Host Comm.*, CIVIL ACTION NO. 15–2167, 2015 WL 13540096, at *7–8 (E.D. La. Dec. 2, 2015). And what *Walters* proscribes is what has happened here: i.e., Plaintiffs have pleaded that they had other remedies at law for the conduct that is at issue in their unjust enrichment claim (such as via a claim for trade secret misappropriation, or for conversion). (See, e.g., D.I. 103 at paras. 66–101; see also D.I. 121 at 8–9) Plaintiffs cite to some Louisiana federal district court decisions for the proposition that their unjust enrichment claim can survive under these circumstances. (D.I. 128 at 10 (citations omitted)) But those cases do not persuade the Court, as they either: (a) cite only to Fed. R. Civ. P. 8 for the proposition that a party may plead in the alternative (which, while true, is overtaken here by the fact that as a matter of substantive state law, if one pleads that one does have a legal alternative, then one simply cannot make out an unjust enrichment claim), see *JP Mack Indus. LLC v. Mosaic Fertilizer, LLC*, 970 F. Supp. 2d 516, 521 n.2 (E.D. La. 2013); or (b) rely on Louisiana state legal precedent that pre-dates *Walters*; or (c) distinguish *Walters* (in the Court's view, incorrectly) as only barring unjust enrichment claims from being pleaded alongside tort claims (which, even if it were an accurate reading of *Walters*, still would not help Plaintiffs here, as they have in fact pleaded alternative tort claims in their operative complaint). Please note that when filing Objections pursuant to Federal Rule of Civil Procedure 72(b)(2), briefing consists

		solely of the Objections (no longer than ten (10) pages) and the Response to the Objections (no longer than ten (10) pages). No further briefing shall be permitted with respect to objections without leave of the Court. Objections to R&R due by 6/9/2022 Ordered by Judge Christopher J. Burke on 5/26/2022. (dlb) (Entered: 05/26/2022)
05/27/2022	<u>144</u>	NOTICE OF SERVICE of Supplemental Expert Report of David R. Duski filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 05/27/2022)
06/09/2022	<u>145</u>	[SEALED] ANSWER to Amended Complaint, re: <u>103</u> Amended Complaint, , COUNTERCLAIM against BearBox LLC, Austin Storms by Raymond E. Cline, Jr, Michael T. McNamara, Lancium LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Certificate of Service)(Stover, Chad) (Entered: 06/09/2022)
06/09/2022	<u>146</u>	OBJECTION to 143 Report and Recommendations by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Certification Pursuant to District of Delaware Standing Order for Objections Filed Under Fed. R. Civ. P. 72, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2)(Stover, Chad) (Entered: 06/09/2022)
06/10/2022	<u>147</u>	STIPULATION and [Proposed] Order to Amend Certain Dispositive Motion and Daubert Deadlines re SO ORDERED, Set Scheduling Order Deadlines, SO ORDERED,, Set Scheduling Order Deadlines, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 06/10/2022)
06/10/2022		SO ORDERED D.I. <u>147</u> Stipulation to Amend Certain Dispositive Motion and Daubert Deadlines filed by Raymond E. Cline, Jr., Michael T. McNamara, Lancium LLC. Ordered by Judge Christopher J. Burke on 6/10/2022. (dlb) (Entered: 06/10/2022)
06/15/2022	<u>148</u>	MOTION for Summary Judgment – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Text of Proposed Order)(Stover, Chad) (Entered: 06/15/2022)
06/15/2022	<u>149</u>	[SEALED] OPENING BRIEF in Support re <u>148</u> MOTION for Summary Judgment filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. Answering Brief/Response due date per Local Rules is 6/29/2022. (Attachments: # <u>1</u> Certificate of Service)(Stover, Chad) (Entered: 06/15/2022)
06/15/2022	<u>150</u>	[SEALED]CONCISE STATEMENT of Undisputed Material Facts re <u>148</u> MOTION for Summary Judgment by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Certificate of Service)(Stover, Chad) Modified on 6/16/2022 (dlw). (Entered: 06/15/2022)
06/15/2022	<u>151</u>	[SEALED] DECLARATION OF Adam M. Kaufmann re <u>150</u> Statement, <u>148</u> MOTION for Summary Judgment by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit 1–23, # <u>2</u> Certificate of Service)(Stover, Chad) Modified on 6/16/2022 (dlw). (Entered: 06/15/2022)
06/15/2022	<u>152</u>	MOTION to Preclude Certain Testimony of Dr. Mark Ehsani – filed by BearBox LLC, Austin Storms. Motions referred to Christopher J. Burke.(Mayo, Andrew) Modified on 6/16/2022 (dlw). (Entered: 06/15/2022)
06/15/2022	<u>153</u>	[SEALED] OPENING BRIEF in Support re <u>152</u> MOTION to Preclude Certain Testimony of Dr. Mark Ehsani filed by BearBox LLC, Austin Storms. Answering Brief/Response due date per Local Rules is 6/29/2022. (Mayo, Andrew) Modified on 6/16/2022 (dlw). (Entered: 06/15/2022)
06/15/2022	<u>154</u>	[SEALED] DECLARATION of John R. Labbe re <u>153</u> Opening Brief in Support by BearBox LLC, Austin Storms. (Attachments: # <u>1</u> Exhibit A–B)(Mayo, Andrew) Modified on 6/16/2022 (dlw). (Entered: 06/15/2022)
06/16/2022		Motion No Longer Referred: <u>152</u> MOTION to Preclude Certain Testimony of Dr. Mark Ehsani (dlw) (Entered: 06/16/2022)
06/20/2022	<u>155</u>	NOTICE of Change of Address by Chad S.C. Stover (Stover, Chad) (Entered: 06/20/2022)
06/22/2022	<u>156</u>	NOTICE OF SERVICE of Expert Report of Jennifer Vanderhart, Ph.D. and Corrected Expert Report of Jennifer Vanderhart Ph.D. filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.(Stover, Chad) (Entered: 06/22/2022)

06/23/2022	<u>157</u>	NOTICE to Take Deposition of David R. Duski on June 30, 2022 at 9AM CT filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.(Stover, Chad) (Entered: 06/23/2022)
06/23/2022	<u>158</u>	RESPONSE TO OBJECTIONS by BearBox LLC, Austin Storms re <u>146</u> Objection to Report and Recommendations, . (Mayo, Andrew) (Entered: 06/23/2022)
06/23/2022	<u>159</u>	NOTICE to Take Deposition of Jennifer Vanderhart on June 30, 2022 filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 06/23/2022)
06/24/2022	<u>160</u>	REDACTED VERSION of <u>153</u> Opening Brief in Support, by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 06/24/2022)
06/24/2022	<u>161</u>	REDACTED VERSION of <u>154</u> Declaration by BearBox LLC, Austin Storms. (Attachments: # <u>1</u> Exhibit A–B)(Mayo, Andrew) Modified on 6/27/2022 (dlw). (Entered: 06/24/2022)
06/27/2022	<u>162</u>	NOTICE OF SERVICE of Reply Expert Report of David R. Duski filed by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 06/27/2022)
06/29/2022	<u>163</u>	REDACTED VERSION of <u>149</u> Opening Brief in Support, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 06/29/2022)
06/29/2022	<u>164</u>	REDACTED VERSION of <u>150</u> Statement by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 06/29/2022)
06/29/2022	<u>165</u>	REDACTED VERSION of <u>151</u> Declaration, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit 1–23)(Stover, Chad) (Main Document 165 replaced on 7/6/2022) (dlw). (Attachment 1 replaced on 7/6/2022) (dlw). (Entered: 06/29/2022)
06/30/2022	<u>166</u>	ANSWER to <u>145</u> Answer to Amended Complaint,, Counterclaim, by BearBox LLC, Austin Storms.(Mayo, Andrew) (Entered: 06/30/2022)
07/08/2022	<u>167</u>	MOTION for Summary Judgment Regarding Damages and Motion to Exclude Opinions of David Duski – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Text of Proposed Order)(Stover, Chad) Modified on 7/11/2022 (dlw). (Entered: 07/08/2022)
07/08/2022	<u>168</u>	[SEALED] OPENING BRIEF in Support re <u>167</u> MOTION for Summary Judgment Regarding Damages and Motion to Exclude Opinions of David Duski filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. Answering Brief/Response due date per Local Rules is 7/22/2022. (Attachments: # <u>1</u> Certificate of Service)(Stover, Chad) Modified on 7/11/2022 (dlw). (Entered: 07/08/2022)
07/08/2022	<u>169</u>	[SEALED] STATEMENT re <u>168</u> Opening Brief in Support, <u>167</u> MOTION for Summary Judgment Regarding Damages and Motion to Exclude Opinions of David Duski // Supplemental Concise Statement of Undisputed Material Facts in Support of Motion for Summary Judgment by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Certificate of Service)(Stover, Chad) Modified on 7/11/2022 (dlw). (Entered: 07/08/2022)
07/08/2022	<u>170</u>	[SEALED] DECLARATION of Adam M. Kaufmann re <u>168</u> Opening Brief in Support, <u>167</u> MOTION for Summary Judgment Regarding Damages and Motion to Exclude Opinions of David Duski, <u>169</u> Statement, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit 24, # <u>2</u> Exhibit 25, # <u>3</u> Exhibit 26, # <u>4</u> Exhibit 27, # <u>5</u> Exhibit 28, # <u>6</u> Exhibit 29, # <u>7</u> Certificate of Service)(Stover, Chad) Modified on 7/11/2022 (dlw). (Entered: 07/08/2022)
07/15/2022	<u>171</u>	REDACTED VERSION of <u>168</u> Opening Brief in Support, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Collins, Kevin) (Entered: 07/15/2022)
07/15/2022	<u>172</u>	REDACTED VERSION of <u>169</u> Statement, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 07/15/2022)
07/15/2022	<u>173</u>	REDACTED VERSION of <u>170</u> Declaration, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit 24–29)(Stover, Chad) (Entered: 07/15/2022)

07/19/2022	<u>174</u>	[SEALED] ANSWERING BRIEF in Opposition re <u>152</u> MOTION to Preclude Certain Testimony of Dr. Mark Ehsani filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. Reply Brief due date per <u>147</u> Stipulation and Order is 7/29/2022. (Attachments: # <u>1</u> Certificate of Service)(Stover, Chad) Modified on 7/20/2022 (dlw). (Entered: 07/19/2022)
07/19/2022	<u>175</u>	[SEALED] DECLARATION of Adam M. Kaufmann re <u>174</u> Answering Brief in Opposition by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Certificate of Service)(Stover, Chad) Modified on 7/20/2022 (dlw). (Entered: 07/19/2022)
07/19/2022	<u>176</u>	[SEALED] ANSWERING BRIEF in Opposition re <u>148</u> MOTION for Summary Judgment filed by BearBox LLC, Austin Storms. Reply Brief due date per <u>147</u> Stipulation and Order is 7/29/2022. (Mayo, Andrew) Modified on 7/20/2022 (dlw). (Entered: 07/19/2022)
07/19/2022	<u>177</u>	[SEALED] STATEMENT re <u>150</u> Statement // Plaintiffs' Response to Defendants' Concise Statement of Facts in Support of Defendants' Motion for Summary Judgment by BearBox LLC, Austin Storms. (Mayo, Andrew) Modified on 7/20/2022 (dlw). (Entered: 07/19/2022)
07/19/2022	<u>178</u>	[SEALED] STATEMENT // Plaintiffs' Separate Concise Statement of Material Facts for Trial Regarding its Inventorship and Conversion Claims by BearBox LLC, Austin Storms. (Mayo, Andrew) Modified on 7/20/2022 (dlw). (Entered: 07/19/2022)
07/19/2022	<u>179</u>	[SEALED] DECLARATION of Chelsea Murray re <u>176</u> Answering Brief in Opposition by BearBox LLC, Austin Storms. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Exhibit U, # <u>22</u> Exhibit V, # <u>23</u> Exhibit W, # <u>24</u> Exhibit X, # <u>25</u> Exhibit Y, # <u>26</u> Exhibit Z, # <u>27</u> Exhibit AA, # <u>28</u> Exhibit BB, # <u>29</u> Exhibit CC, # <u>30</u> Exhibit DD)(Mayo, Andrew) Modified on 7/20/2022 (dlw). (Entered: 07/19/2022)
07/22/2022	<u>180</u>	[SEALED] ANSWERING BRIEF in Opposition re <u>167</u> MOTION for Summary Judgment Regarding Damages and Motion to Exclude Opinions of David Duski filed by BearBox LLC, Austin Storms. Reply Brief due date per Local Rules is 7/29/2022. (Mayo, Andrew) (Entered: 07/22/2022)
07/22/2022	<u>181</u>	[SEALED] DECLARATION of Chelsea Murray re <u>180</u> Answering Brief in Opposition by BearBox LLC, Austin Storms. (Attachments: # <u>1</u> Exhibit EE-OO)(Mayo, Andrew) Modified on 7/25/2022 (dlw). (Entered: 07/22/2022)
07/22/2022	<u>182</u>	[SEALED] STATEMENT re <u>169</u> Statement // Plaintiffs' Response to Defendants' Supplemental Concise Statement of Facts in Support of Motion for Summary Judgment by BearBox LLC, Austin Storms. (Mayo, Andrew) Modified on 7/25/2022 (dlw). (Entered: 07/22/2022)
07/22/2022	<u>183</u>	[SEALED] STATEMENT // Plaintiffs' Separate Concise Statement of Material Facts for Trial Regarding Damages by BearBox LLC, Austin Storms. (Mayo, Andrew) Modified on 7/25/2022 (dlw). (Entered: 07/22/2022)
07/26/2022	<u>184</u>	REDACTED VERSION of <u>174</u> Answering Brief in Opposition, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 07/26/2022)
07/26/2022	<u>185</u>	REDACTED VERSION of <u>175</u> Declaration, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit 1-2)(Stover, Chad) (Entered: 07/26/2022)
07/27/2022	<u>186</u>	REDACTED VERSION of <u>176</u> Answering Brief in Opposition by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 07/27/2022)
07/27/2022	<u>187</u>	REDACTED VERSION of <u>177</u> Statement, by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 07/27/2022)
07/27/2022	<u>188</u>	REDACTED VERSION of <u>178</u> Statement by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 07/27/2022)
07/27/2022	<u>189</u>	REDACTED VERSION of <u>179</u> Declaration by BearBox LLC, Austin Storms. (Mayo, Andrew) Modified on 7/28/2022 (dlw). (Entered: 07/27/2022)

07/29/2022	<u>190</u>	[SEALED] REPLY BRIEF re <u>152</u> MOTION to Preclude Certain Testimony of Dr. Mark Ehsani filed by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 07/29/2022)
07/29/2022	<u>191</u>	[SEALED] REPLY BRIEF re <u>167</u> MOTION for Summary Judgment Regarding Damages and Motion to Exclude Opinions of David Duski filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Certificate of Service)(Stover, Chad) (Entered: 07/29/2022)
07/29/2022	<u>192</u>	[SEALED] DECLARATION of Adam M. Kaufmann re <u>191</u> Reply Brief by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit 43, # <u>2</u> Certificate of Service)(Stover, Chad) Modified on 8/1/2022 (dlw). (Entered: 07/29/2022)
07/29/2022	<u>193</u>	[SEALED] STATEMENT re <u>183</u> Statement // Response to Plaintiffs' Separate Concise Statement of Material Facts for Trial Regarding Damages by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Certificate of Service)(Stover, Chad) Modified on 8/1/2022 (dlw). (Entered: 07/29/2022)
07/29/2022	<u>194</u>	[SEALED] STATEMENT re <u>178</u> Statement // Response to Plaintiffs' Separate Concise Statement of Material Facts for Trial Regarding Inventorship and Conversion Claims by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Certificate of Service)(Stover, Chad) Modified on 8/1/2022 (dlw). (Entered: 07/29/2022)
07/29/2022	<u>195</u>	[SEALED] REPLY BRIEF re <u>148</u> MOTION for Summary Judgment filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Certificate of Service)(Stover, Chad) (Entered: 07/29/2022)
07/29/2022	<u>196</u>	[SEALED] DECLARATION of Adam M. Kaufmann re <u>195</u> Reply Brief by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit 30–42, # <u>2</u> Certificate of Service)(Stover, Chad) Modified on 8/1/2022 (dlw). (Entered: 07/29/2022)
08/02/2022	<u>197</u>	REDACTED VERSION of <u>180</u> Answering Brief in Opposition, by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 08/02/2022)
08/02/2022	<u>198</u>	REDACTED VERSION of <u>181</u> Declaration by BearBox LLC, Austin Storms. (Mayo, Andrew) Modified on 8/2/2022 (dlw). (Entered: 08/02/2022)
08/02/2022	<u>199</u>	REDACTED VERSION of <u>182</u> Statement by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 08/02/2022)
08/02/2022	<u>200</u>	REDACTED VERSION of <u>183</u> Statement by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 08/02/2022)
08/04/2022	<u>201</u>	REQUEST for Oral Argument by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara re <u>148</u> MOTION for Summary Judgment , <u>167</u> MOTION for Summary Judgment Regarding Damages and Motion to Exclude Opinions of David Duski. (Stover, Chad) (Entered: 08/04/2022)
08/05/2022	<u>202</u>	REDACTED VERSION of <u>191</u> Reply Brief, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 08/05/2022)
08/05/2022	<u>203</u>	REDACTED VERSION of <u>192</u> Declaration by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit 43)(Stover, Chad) (Entered: 08/05/2022)
08/05/2022	<u>204</u>	REDACTED VERSION of <u>193</u> Statement, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 08/05/2022)
08/05/2022	<u>205</u>	REDACTED VERSION of <u>194</u> Statement by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) Modified on 8/8/2022 (dlw). (Entered: 08/05/2022)
08/05/2022	<u>206</u>	REDACTED VERSION of <u>195</u> Reply Brief by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) Modified on 8/8/2022 (dlw). (Entered: 08/05/2022)
08/05/2022	<u>207</u>	REDACTED VERSION of <u>196</u> Declaration by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit 30–42)(Stover, Chad) Modified on 8/8/2022 (dlw). (Entered: 08/05/2022)
08/05/2022	<u>208</u>	REDACTED VERSION of <u>190</u> Reply Brief by BearBox LLC, Austin Storms. (Mayo, Andrew) Modified on 8/8/2022 (dlw). (Entered: 08/05/2022)

09/07/2022		Case Reassigned to Judge Gregory B Williams. Please include the initials of the Judge (GBW) after the case number on all documents filed. (apk) (Entered: 09/07/2022)
09/28/2022	<u>209</u>	Letter to The Honorable Gregory B. Williams from Chad S.C. Stover regarding Defendants' request for oral argument re: their summary judgment and Dabuert motions – re <u>148</u> MOTION for Summary Judgment , <u>167</u> MOTION for Summary Judgment Regarding Damages and Motion to Exclude Opinions of David Duski, <u>201</u> Request for Oral Argument,. (Stover, Chad) (Entered: 09/28/2022)
09/29/2022	<u>210</u>	Letter to The Honorable Gregory B. Williams from Andrew C. Mayo regarding response to Defendant's September 28, 2022 letter. (Mayo, Andrew) (Entered: 09/29/2022)
10/05/2022	<u>211</u>	ORAL ORDER: In order to resolve Defendants' pending summary judgment motion (D.I. 148), IT IS HEREBY ORDERED that a Markman Hearing is now scheduled for 10/20/22, at 10:00 AM in Courtroom 6B. The Court is setting aside one (1) hour for the Markman hearing with the time split equally between the two sides. Any slide presentations the parties wish to use during the hearing shall be emailed (in PDF format) to gbw_civil@ded.uscourts.gov no later than 48 hours prior to the hearing with hard copies delivered to the Clerk's office within one hour thereafter. Based on the parties' construction of the disputed terms in their respective summary judgment briefing, the parties need not file additional briefing on this matter. ORDERED by Judge Gregory B. Williams on 10/5/22. (ntl) (Entered: 10/05/2022)
10/07/2022	<u>212</u>	MEMORANDUM OPINION. Signed by Judge Gregory B. Williams on 10/07/2022. (etg) (Entered: 10/07/2022)
10/07/2022	<u>213</u>	ORDER re <u>212</u> MEMORANDUM OPINION: Defendants' Objections (D.I. 146) to the Report are OVERRULED; The Report (D.I. 143) is ADOPTED; Defendants' Motion (D.I. 120) is GRANTED–IN–PART and DENIED–IN–PART; and Plaintiffs' unjust enrichment claim (Count VI) is dismissed with prejudice. Signed by Judge Gregory B. Williams on 10/7/2022. (etg) (Entered: 10/07/2022)
10/11/2022		Pro Hac Vice Attorney David M. Lisch for Raymond E. Cline, Jr., Lancium LLC, and Michael T. McNamara added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mkr) (Entered: 10/11/2022)
10/18/2022	<u>214</u>	[SEALED] MOTION for Disclosure of <i>Third–Party Litigation Funding Arrangements</i> – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> L.R. 7.1.1 Statement, # <u>5</u> Certificate of Service)Motions referred to Christopher J. Burke.(Stover, Chad) (Entered: 10/18/2022)
10/20/2022		Minute Entry for proceedings held before Judge Gregory B. Williams – Markman Hearing held on 10/20/2022. (Court Reporter M. Rolfe.) (ntl) (Entered: 10/20/2022)
10/24/2022	<u>215</u>	Letter to The Honorable Gregory B. Williams from Andrew C. Mayo regarding meet and confer following Markman hearing to address claim terms in dispute. (Mayo, Andrew) (Entered: 10/24/2022)
10/25/2022	<u>216</u>	REDACTED VERSION of <u>214</u> MOTION for Disclosure of <i>Third–Party Litigation Funding Arrangements</i> by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> 7.1.1 Statement, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B)(Stover, Chad) (Entered: 10/25/2022)
10/26/2022	<u>217</u>	MOTION for Pro Hac Vice Appearance of Attorney Benjamin T. Pendroff – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Certification by Counsel to be Admitted Pro Hac Vice)Motions referred to Christopher J. Burke.(Stover, Chad) (Entered: 10/26/2022)
10/27/2022		SO ORDERED D.I. <u>217</u> MOTION for Pro Hac Vice Appearance of Attorney Benjamin T. Pendroff filed by Raymond E. Cline, Jr., Michael T. McNamara, Lancium LLC. Ordered by Judge Christopher J. Burke on 10/27/22. (mlc) (Entered: 10/27/2022)
10/28/2022	<u>218</u>	MEMORANDUM OPINION re claim construction. Signed by Judge Gregory B. Williams on 10/28/22.This order has been emailed to local counsel. (ntl) Modified on 11/8/2022 (ntl). (Main Document 218 replaced on 11/8/2022) (ntl). (Entered: 10/28/2022)

10/28/2022	<u>219</u>	ORDER re <u>218</u> Memorandum Opinion regarding claim construction. Signed by Judge Gregory B. Williams on 10/28/22. (ntl) (Entered: 10/28/2022)
10/28/2022	<u>220</u>	ORAL ORDER: Because the Memorandum Opinion is filed under seal, IT IS HEREBY ORDERED that the parties shall meet and confer and, no later than November 3, 2022, submit a joint proposed redacted version, accompanied by a supporting memorandum, detailing how, under applicable law, the Court may approve any requested redactions. In the absence of a timely, compliant request, the Court will unseal the entire opinion. ORDERED by Judge Gregory B. Williams on 10/28/22. (ntl) (Entered: 10/28/2022)
10/28/2022	<u>221</u>	MOTION for Pro Hac Vice Appearance of Attorney John J. Lucas – filed by BearBox LLC, Austin Storms. Motions referred to Christopher J. Burke.(Mayo, Andrew) (Entered: 10/28/2022)
10/28/2022		Pro Hac Vice Attorney Benjamin Pendroff for Raymond E. Cline, Jr, Lancium LLC, and Michael T. McNamara added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mkr) (Entered: 10/28/2022)
10/31/2022		SO ORDERED D.I. <u>221</u> MOTION for Pro Hac Vice Appearance of Attorney John J. Lucas filed by BearBox LLC, Austin Storms.Ordered by Judge Christopher J. Burke on 10/31/22. (mlc) (Entered: 10/31/2022)
10/31/2022		Pro Hac Vice Attorney John J. Lucas for BearBox LLC added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 10/31/2022)
10/31/2022	<u>222</u>	MOTION to Bifurcate <i>Defendants' Motion for Bifurcation and to Expedite Briefing and Consideration of This Motion</i> – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)Motions referred to Christopher J. Burke.(Stover, Chad) (Entered: 10/31/2022)
10/31/2022	<u>223</u>	[SEALED] OPENING BRIEF in Support re <u>222</u> MOTION to Bifurcate <i>Defendants' Motion for Bifurcation and to Expedite Briefing and Consideration of This Motion</i> filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara.Answering Brief/Response due date per Local Rules is 11/14/2022. (Attachments: # <u>1</u> Certificate of Service)(Stover, Chad) (Entered: 10/31/2022)
11/01/2022		Motions No Longer Referred: <u>222</u> MOTION to Bifurcate <i>Defendants' Motion for Bifurcation and to Expedite Briefing and Consideration of This Motion</i> (mlc) (Entered: 11/01/2022)
11/01/2022	<u>224</u>	[SEALED] ANSWERING BRIEF in Opposition re <u>214</u> MOTION for Disclosure of <i>Third-Party Litigation Funding Arrangements</i> filed by BearBox LLC, Austin Storms.Reply Brief due date per Local Rules is 11/8/2022. (Mayo, Andrew) (Entered: 11/01/2022)
11/03/2022	<u>225</u>	STIPULATION to extend briefing schedule in connection with motion for bifurcation by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 11/03/2022)
11/03/2022	<u>226</u>	Letter to The Honorable Gregory B. Williams from Andrew C. Mayo regarding redactions to October 28, 2022 memorandum opinion. (Mayo, Andrew) (Entered: 11/03/2022)
11/04/2022		SO ORDERED, re <u>225</u> STIPULATION to extend briefing schedule in connection with motion for bifurcation by BearBox LLC, Austin Storms. Signed by Judge Gregory B. Williams on 11/4/2022. (etg) (Entered: 11/04/2022)
11/08/2022	<u>227</u>	[SEALED] REPLY BRIEF re <u>214</u> MOTION for Disclosure of <i>Third-Party Litigation Funding Arrangements</i> filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Certificate of Service)(Stover, Chad) (Entered: 11/08/2022)
11/08/2022		Document Unsealed -- <u>218</u> Memorandum Opinion unsealed. (ntl) (Entered: 11/08/2022)
11/09/2022	<u>228</u>	REDACTED VERSION of <u>224</u> Answering Brief in Opposition by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 11/09/2022)
11/10/2022	<u>229</u>	[SEALED] ANSWERING BRIEF in Opposition re <u>222</u> MOTION to Bifurcate <i>Defendants' Motion for Bifurcation and to Expedite Briefing and Consideration of This Motion</i> filed by BearBox LLC, Austin Storms.Reply Brief due date per Local Rules is

		11/17/2022. (Mayo, Andrew) (Entered: 11/10/2022)
11/14/2022	<u>230</u>	MEMORANDUM OPINION re pending motions. Signed by Judge Gregory B. Williams on 11/14/22. (ntl) (Main Document replaced and docket text updated on 1/12/2023) (etg). (Entered: 11/14/2022)
11/14/2022	<u>231</u>	ORDER re <u>230</u> Memorandum Opinion — 1. Lancium's First Motion for Summary Judgment (DJ. 148) is GRANTED–IN PART and DENIED–IN–PART; 2. Count V of BearBox's Second Amended Complaint (DJ. 103) is DISMISSED WITH PREJUDICE; 3. Lancium's Second Motion for Summary Judgment Regarding Damages and Motion to Exclude Opinions of David Duski (DJ. 167) is DENIED AS MOOT; and 4. Lancium's Motion to Bifurcate BearBox's Patent Inventorship Claims from the Conversion Claims (DJ. 222) is DENIED AS MOOT. Signed by Judge Gregory B. Williams on 11/14/22. (ntl) (Entered: 11/14/2022)
11/14/2022	232	ORAL ORDER: Having determined that the only issue remaining for the Court to hear is Plaintiffs' claims of sole inventorship, or, alternatively, joint inventorship (D.I. 231), and since inventorship is an issue solely for the Court to determine, see, e.g., 35 U.S.C. § 256; Shum v. Intel Corp., 499 F.3d 1272, 1277 (Fed. Cir. 2007) (holding that "an action for correction of inventorship under § 256, standing alone, is an equitable claim to which no right to a jury trial attaches"), IT IS HEREBY ORDERED that the 4–day jury trial scheduled to begin on December 5, 2022 (D.I. 35 at 15) is now scheduled as a 3–day bench trial beginning on Tuesday, December 6, 2022. The pretrial conference will be held on November 22, 2022, to begin at 3:00 PM (rather than at 4:30 PM). ORDERED by Judge Gregory B. Williams on 11/14/22. (ntl) (Entered: 11/14/2022)
11/14/2022	233	ORAL ORDER: The Court, having reviewed Defendants' "Motion for Disclosure of Third–Party Litigation Funding Arrangements" (the "Motion"), (D.I. 214), hereby ORDERS as follows: The Court's Order here does not intend to address whether disclosure of third–party litigation funding arrangements should or should not, as a general matter, be required at the outset of most or all civil cases in this District. Instead, it focuses solely on the unique facts and circumstances at play in this case (wherein no such disclosure order had previously been entered by the Court). In light of the particular record at issue here, the Court DENIES Defendants' Motion (with one exception, set out below), for the following reasons.; (1) It does not appear that Defendants' request — i.e., that Plaintiffs disclose certain information relating to all third–party funders for this litigation (the "requested information") — is relevant to any claims or defenses at issue in the case. Although Defendants briefly suggested that the requested information might be relevant to standing, (D.I. 214 at 3), Plaintiffs noted in response that they are not enforcing a patent in this lawsuit, but instead seeking to correct inventorship of a patent, (D.I. 224 at 2). The Court does not see how, in those circumstances, there could be a standing issue at play here.; (2) Even if the requested information was somehow relevant to a claim or defense in this litigation, the Motion appears to be very untimely. The deposition at which Defendants learned that an entity known as Great American Mining has paid for certain costs and fees incurred in this litigation occurred in February 2022. Yet Defendants did not file the Motion until October 2022. (See D.I. 224 at 1) Defendants provide no explanation as to why they did not file the Motion earlier. Nor is it clear why Defendants did not ask further questions during the deposition (wherein they learned of the identity of the third–party funder) in order to obtain the additional information that they now belatedly seek. While Defendants vaguely suggest that the requested information is needed to "promote efficiency," (D.I. 227 at 1), it is not efficient to be making untimely requests for discovery–related information on the eve of trial.; (3) Lastly, Defendants argue that the requested information is "crucial to ensuring that this Court can remain clear of any conflicts." (D.I. 214 at 3; see also D.I. 227 at 1) To be sure, the Court has a real interest in doing what it can to reasonably assess any potential conflict of interest that might be present in a litigation matter. But the Court is now aware of the identity of the entity (i.e., Great American Mining) that has paid for certain of Plaintiffs' costs and fees incurred in this litigation. The Court is aware of no conflict that it has in light of this entity's involvement. And it is not clear to the Court how any of the requested information would be needed for it or the District Judge to be able to make this conflict–related assessment as to Great American Mining.; and (4) The Court assumes that, in light of the tenor of Plaintiffs' answering brief, there is no other entity (other than Great American Mining) that is serving as a third–party funder in this case. But just to ensure that the Court is understanding the record correctly, by no later than November 21, 2022, the Court ORDERS that Plaintiffs shall submit a letter confirming that there are no other third–party

		funders (or, if there are, listing them). Ordered by Judge Christopher J. Burke on 11/14/2022. (mlc) (Entered: 11/14/2022)
11/15/2022	<u>234</u>	MEMORANDUM OPINION re <u>152</u> motion to exclude certain testimony of Dr. Mark Ehsani. Signed by Judge Gregory B. Williams on 11/15/22. (ntl) (Main Document replaced and docket text updated on 1/12/2023) (etg). (Entered: 11/15/2022)
11/15/2022	<u>235</u>	ORDER re <u>234</u> Memorandum Opinion — <u>152</u> MOTION to Preclude Certain Testimony of Dr. Mark Ehsani filed by BearBox LLC, Austin Storms is GRANTED-IN-PART and DENIED-IN-PART. Signed by Judge Gregory B. Williams on 11/15/22. (ntl) (Entered: 11/15/2022)
11/15/2022	<u>236</u>	MOTION to Strike <i>Emergency Motion to Strike the Supplemental Expert Report of Plaintiffs' Expert, Dr. McClellan, and Motion to Expedite Briefing on the Same</i> – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. Motions referred to Christopher J. Burke.(Stover, Chad) (Entered: 11/15/2022)
11/15/2022	<u>237</u>	[SEALED] Letter to The Honorable Gregory B. Williams from Chad S.C. Stover regarding Defendants' Opening Letter Brief in Support of its Emergency Motion to Stike Plaintiffs' Newly Disclosed, Untimely Expert Report and Request for Expedited Briefing – re <u>236</u> MOTION to Strike <i>Emergency Motion to Strike the Supplemental Expert Report of Plaintiffs' Expert, Dr. McClellan, and Motion to Expedite Briefing on the Same</i> . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Certificate of Service)(Stover, Chad) (Entered: 11/15/2022)
11/15/2022		Motions No Longer Referred: <u>236</u> MOTION to Strike <i>Emergency Motion to Strike the Supplemental Expert Report of Plaintiffs' Expert, Dr. McClellan, and Motion to Expedite Briefing on the Same</i> (mlc) (Entered: 11/15/2022)
11/15/2022	<u>238</u>	ORAL ORDER: Having reviewed Defendants' Motion for Expedited Briefing on their Emergency Motion to Strike (D.I. 236; D.I. 237), IT IS HEREBY ORDERED that not later than seventy-two (72) hours from the entry of this Order, Plaintiffs shall file their answering brief addressing Defendants' Motion. IT IS FURTHER ORDERED that not later than forty-eight (48) hours thereafter, Defendants must file their reply brief responding to Plaintiffs' Response. The letter briefing shall be consistent with Judge Williams' scheduling order for letter briefing related to motions to strike. ORDERED by Judge Gregory B. Williams on 11/15/22. (ntl) Modified on 11/15/2022 (ntl). (Entered: 11/15/2022)
11/15/2022	<u>239</u>	[SEALED] Proposed Pretrial Order by BearBox LLC, Austin Storms. (Attachments: # <u>1</u> Exhibit 1–13)(Mayo, Andrew) (Entered: 11/15/2022)
11/17/2022	<u>240</u>	ORAL ORDER: IT IS HEREBY ORDERED that the pretrial conference is rescheduled to November 29, 2022, to begin at 3:00 PM in Courtroom 6B. ORDERED by Judge Gregory B. Williams on 11/17/22. (ntl) (Entered: 11/17/2022)
11/18/2022	<u>241</u>	[SEALED] Letter to The Honorable Gregory B. Williams from Andrew C. Mayo regarding response to defendants' motion to strike. (Attachments: # <u>1</u> Exhibit A–K)(Mayo, Andrew) (Entered: 11/18/2022)
11/20/2022	<u>242</u>	Letter to The Honorable Gregory B. Williams from Chad S.C. Stover regarding Reply in Support of Defendants' Emergency Motion to Stike Plaintiffs' Newly Disclosed, Untimely Expert Report and Request for Expedited Briefing – re <u>241</u> Letter, <u>237</u> Letter,, (Stover, Chad) (Entered: 11/20/2022)
11/21/2022	<u>243</u>	[SEALED] Letter to The Honorable Christopher J. Burke from Andrew C. Mayo regarding November 14, 2022 Oral Order. (Mayo, Andrew) (Entered: 11/21/2022)
11/22/2022	<u>244</u>	REDACTED VERSION of <u>223</u> Opening Brief in Support, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 11/22/2022)
11/22/2022	<u>245</u>	REDACTED VERSION of <u>227</u> Reply Brief by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 11/22/2022)
11/22/2022	<u>246</u>	REDACTED VERSION of <u>237</u> Letter,, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Stover, Chad) (Entered: 11/22/2022)

11/23/2022	<u>247</u>	MEMORANDUM ORDER re <u>236</u> MOTION to Strike <i>Emergency Motion to Strike the Supplemental Expert Report of Plaintiffs' Expert, Dr. McClellan, and Motion to Expedite Briefing on the Same</i> – filed by Raymond E. Cline, Jr., Michael T. McNamara, Lancium LLC. Signed by Judge Gregory B. Williams on 11/23/2022. This order has been emailed to local counsel. (etg) Modified on 11/30/2022 (ntl). (Main Document 247 replaced on 11/30/2022) (ntl). (Entered: 11/23/2022)
11/28/2022	<u>248</u>	NOTICE of Appearance by William J. Burton on behalf of Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara (Burton, William) (Entered: 11/28/2022)
11/28/2022	<u>249</u>	REDACTED VERSION of <u>243</u> Letter by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 11/28/2022)
11/29/2022		Minute Entry for proceedings held before Judge Gregory B. Williams – Pretrial Conference held on 11/29/2022. (Court Reporter M. Rolfe.) (ntl) (Entered: 11/29/2022)
11/29/2022	<u>250</u>	ORDER regarding the parties' motions in limine. Signed by Judge Gregory B. Williams on 11/29/22. (ntl) (Entered: 11/29/2022)
11/29/2022	<u>251</u>	Letter to The Honorable Gregory B. Williams from Andrew C. Mayo regarding redactions to November 23, 2022 sealed memorandum order. (Mayo, Andrew) (Entered: 11/29/2022)
11/30/2022		Document Unsealed -- <u>247</u> Memorandum Order unsealed. (ntl) (Entered: 11/30/2022)
12/02/2022	<u>252</u>	Official Transcript of Pretrial Conference held on 11.29.2022 before Judge Gregory B. Williams. Court Reporter/Transcriber Michele Rolfe, Email: michele_rolfe@ded.uscourts.gov. Transcript may be viewed at the court public terminal or order/purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, it may be obtained through PACER. Redaction Request due 12/27/2022. Redacted Transcript Deadline set for 1/3/2023. Release of Transcript Restriction set for 3/2/2023. (Rolfe, Michele) (Entered: 12/02/2022)
12/02/2022	<u>253</u>	[SEALED] Letter to The Honorable Gregory B. Williams from Andrew C. Mayo regarding revised trial exhibit list. (Attachments: # <u>1</u> Exhibit 1 – PTX201, # <u>2</u> Exhibit 2 – PTX922, # <u>3</u> Exhibit 3 – Revised Trial Exhibit List)(Mayo, Andrew) (Entered: 12/02/2022)
12/06/2022		Minute Entry for proceedings held before Judge Gregory B. Williams – Bench Trial (Day 1) held on 12/6/2022. (Court Reporter M. Rolfe.) (ntl) (Entered: 12/07/2022)
12/07/2022	<u>254</u>	Letter to The Honorable Gregory B. Williams from Andrew C. Mayo regarding Plaintiffs' Citations in Response to Defendants' Objections to Dr. McClellan's Demonstrative Slides. (Mayo, Andrew) (Entered: 12/07/2022)
12/07/2022	<u>255</u>	Letter to The Honorable Gregory B. Williams from Chad S.C. Stover regarding response to Plaintiffs' December 7, 2022 letter re: Dr. McClellan's supplemental expert report – re <u>254</u> Letter. (Stover, Chad) (Entered: 12/07/2022)
12/07/2022		Minute Entry for proceedings held before Judge Gregory B. Williams – Bench Trial (Day 2) held on 12/7/2022. (Court Reporter M. Rolfe.) (ntl) (Entered: 12/08/2022)
12/08/2022		Minute Entry for proceedings held before Judge Gregory B. Williams – Bench Trial completed on 12/8/2022. (Court Reporter M. Rolfe.) (ntl) (Entered: 12/08/2022)
01/11/2023	<u>256</u>	POST TRIAL BRIEF by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 01/11/2023)
01/11/2023	<u>257</u>	Proposed Findings of Fact by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 01/11/2023)
01/12/2023		Document Unsealed -- <u>230</u> Memorandum Opinion unsealed. (etg) (Entered: 01/12/2023)
01/12/2023		Document Unsealed -- <u>234</u> Memorandum Opinion unsealed. (etg) (Entered: 01/12/2023)
01/25/2023	<u>258</u>	POST TRIAL BRIEF (<i>Response</i>) by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 01/25/2023)
01/25/2023	<u>259</u>	Proposed Findings of Fact by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 01/25/2023)

02/01/2023	<u>260</u>	POST TRIAL BRIEF (<i>Reply</i>) by BearBox LLC, Austin Storms. (Attachments: # <u>1</u> Exhibit A)(Mayo, Andrew) (Entered: 02/01/2023)
02/08/2023	<u>261</u>	POST TRIAL BRIEF // <i>Sur-Reply</i> by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit 1)(Stover, Chad) (Entered: 02/08/2023)
03/06/2023	<u>262</u>	OPINION regarding bench trial --- The Court finds that Plaintiffs have not met their burdens to establish their sole and/or joint inventorship claims. Accordingly, the Court will enter judgment in favor of Defendants. Signed by Judge Gregory B. Williams on 3/6/23. (ntl) (Entered: 03/06/2023)
03/06/2023	<u>263</u>	ORDER re <u>262</u> Opinion --- The parties shall submit, by no later than March 27, 2023, a proposed order by which the Court may enter final judgment consistent with the Opinion issued this day. Signed by Judge Gregory B. Williams on 3/6/23. (ntl) (Entered: 03/06/2023)
03/27/2023	<u>264</u>	PROPOSED CONSENT JUDGMENT (<i>Proposed Final Judgment</i>) by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 03/27/2023)
03/28/2023	<u>265</u>	ORAL ORDER: IT IS HEREBY ORDERED that, by no later than April 3, 2023, Defendants shall file a letter with the Court indicating whether they oppose entry of the [Proposed] Final Judgment (D.I. 264). If Defendants oppose any of the specific language of the [Proposed] Final Judgment, Defendants should meet and confer with Plaintiffs in attempt to resolve any disagreements and, by no later than April 3, 2023, the parties should submit a joint [Proposed] Final Judgment that identifies any remaining disagreements on specific language and includes each side's respective proposed language. The Court will resolve any remaining disagreements on proposed specific language before entering the Final Judgment. ORDERED by Judge Gregory B. Williams on 3/28/23. (ntl) (Entered: 03/28/2023)
03/29/2023	<u>266</u>	Letter to The Honorable Gregory B. Williams from Chad S.C. Stover regarding no objections by Defendants to the Proposed Final Judgment filed on March 27, 2023 – re <u>264</u> Proposed Consent Judgment, 265 Order,... (Stover, Chad) (Entered: 03/29/2023)
04/05/2023	<u>267</u>	FINAL JUDGMENT in favor of Defendants and against Plaintiffs (See Judgment for further details) (CASE CLOSED). Signed by Judge Gregory B. Williams on 4/5/23. (ntl) (Entered: 04/05/2023)
04/05/2023	<u>268</u>	Report to the Commissioner of Patents and Trademarks. (ntl) (Entered: 04/05/2023)
04/19/2023	<u>269</u>	MOTION for Attorney Fees <i>and Expenses</i> – filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Text of Proposed Order)Motions referred to Christopher J. Burke.(Stover, Chad) (Entered: 04/19/2023)
04/19/2023	<u>270</u>	[SEALED] OPENING BRIEF in Support re <u>269</u> MOTION for Attorney Fees <i>and Expenses</i> filed by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. Answering Brief/Response due date per Local Rules is 5/3/2023. (Attachments: # <u>1</u> Certificate of Service)(Stover, Chad) (Entered: 04/19/2023)
04/19/2023	<u>271</u>	DECLARATION re <u>270</u> Opening Brief in Support, <u>269</u> MOTION for Attorney Fees <i>and Expenses</i> // <i>Declaration of Adam Kaufmann</i> by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Stover, Chad) (Entered: 04/19/2023)
04/19/2023		Motion No Longer Referred to Judge Burke: <u>269</u> MOTION for Attorney Fees <i>and Expenses</i> (dlb) (Entered: 04/20/2023)
05/01/2023	<u>272</u>	REDACTED VERSION of <u>270</u> Opening Brief in Support, by Raymond E. Cline, Jr, Lancium LLC, Michael T. McNamara. (Stover, Chad) (Entered: 05/01/2023)
05/03/2023	<u>273</u>	ANSWERING BRIEF in Opposition re <u>269</u> MOTION for Attorney Fees <i>and Expenses</i> filed by BearBox LLC, Austin Storms. Reply Brief due date per Local Rules is 5/10/2023. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19)(Mayo, Andrew) (Main Document 273 replaced on 5/4/2023) (apk). (Entered: 05/03/2023)

05/04/2023		CORRECTING ENTRY: D.I. <u>273</u> replaced to include a "Table of Authorities" per counsels request. (apk) (Entered: 05/04/2023)
05/04/2023	<u>274</u>	NOTICE OF APPEAL to the Federal Circuit of <u>267</u> Judgment . Appeal filed by BearBox LLC, Austin Storms. (Mayo, Andrew) (Entered: 05/04/2023)
05/04/2023		APPEAL – Credit Card Payment received re <u>274</u> Notice of Appeal (Federal Circuit) filed by BearBox LLC, Austin Storms. (Filing fee \$505, receipt number ADEDC–4128621.) (Mayo, Andrew) (Entered: 05/04/2023)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BEARBOX LLC and AUSTIN
STORMS,

Plaintiffs,

v.

LANCIUM LLC,
MICHAEL T. MCNAMARA, and
RAYMOND E. CLINE, JR.,

Defendants.

C.A. No. 21-534-GBW-CJB

FINAL JUDGMENT

This action, having come before the Court for a bench trial from December 6 through December 8, 2022, the Honorable Gregory B. Williams, United States District Judge, presiding, and the Court having heard the evidence and testimony of witnesses of Plaintiffs BearBox LLC and Austin Storms (collectively, “Plaintiffs”) and Defendants Lancium LLC, Michael T. McNamara, and Raymond E. Cline, Jr. (collectively, “Defendants”);

AND WHEREAS the Court issued a post-trial Opinion (D.I. 262) and Order (D.I. 263) on March 6, 2023, finding in favor of Defendants and against Plaintiffs on Count I and Count II of Plaintiffs’ Second Amended Complaint (D.I. 103) (the “SAC”), which alleged claims seeking to correct inventorship for U.S. Patent No. 10,608,433 (the “’433 Patent”) to name Austin Storms as the sole or a joint inventor of the ’433 Patent;

AND WHEREAS the Court issued a Minute Entry on April 25, 2022 striking Count III and Count IV of the SAC, which alleged claims of trade secret misappropriation against Defendants;

AND WHEREAS the Court issued a Memorandum Opinion (D.I. 212) and Order (D.I. 213) on October 7, 2022, adopting a Report and Recommendation issued on May 26, 2022

(D.I. 143), dismissing with prejudice Count VI of the SAC alleging unjust enrichment against Defendants;

AND WHEREAS the Court issued a Memorandum Opinion (D.I. 230) and Order (D.I. 231) on November 14, 2022 granting summary judgment in favor of Defendants and against Plaintiffs on Count V of the SAC alleging conversion against Defendants;

AND WHEREAS the Court issued an Order (D.I. 97) on February 2, 2022, adopting a Report and Recommendation issued on January 18, 2022 (D.I. 92), dismissing with prejudice Count V (negligent misrepresentation) of Plaintiffs' Amended Complaint (D.I. 19);

IT IS HEREBY ORDERED AND ADJUDGED, as of the date written below, that **Final Judgment is entered as follows:**

1. Final Judgment is entered in favor of Defendants and against Plaintiffs on Count I of the SAC seeking to correct inventorship of the '433 Patent under 35 U.S.C. § 256 to name Austin Storms the sole inventor of the '433 Patent;

2. Final Judgment is entered in favor of Defendants and against Plaintiffs on Count II of the SAC seeking to correct inventorship of the '433 Patent under 35 U.S.C. § 256 to name Austin Storms a joint inventor of the '433 Patent;

3. Final Judgment is entered in favor of Defendants and against Plaintiffs on Counts III-VI of the SAC alleging trade secret misappropriation, conversion, and unjust enrichment, respectively;

4. Final Judgment is entered in favor of Defendants and against Plaintiffs on Count V of the Amended Complaint alleging negligent misrepresentation;

5. Final Judgment is entered in favor of Defendants and against Plaintiffs on Count I of Defendants' Second Amended Counterclaims (D.I. 145) (the "Counterclaims") seeking declaratory judgment that Austin Storms is not an inventor of the '433 Patent;

6. Final Judgment is entered in favor of Defendants and against Plaintiffs on Count II of the Counterclaims seeking declaratory judgment that Austin Storms has no ownership rights in the '433 Patent;

7. Final Judgment is entered in favor of Defendants and against Plaintiffs on Count III of the Counterclaims seeking declaratory judgment that Defendants did not steal or otherwise improperly obtain or use any information from Plaintiffs.

IT IS FURTHER ORDERED that the deadline for any party to move for costs and/or attorney's fees (including, but not limited to, under 35 U.S.C. § 285) is fourteen (14) days after the entry of this Final Judgment.

SO ORDERED AND FINAL JUDGMENT IS HEREBY ENTERED

this 5th day of April, 2023.



THE HONORABLE GREGORY B. WILLIAMS
UNITED STATES DISTRICT JUDGE